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THE INTERNATIONAL POLICE AND WORLD SECURITY

By
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PREFACE

THE PRESENT VOLUME IS INTENDED AS A contribution to the discussion on international security.

An historical survey shows the profound interest which humanity has at all times displayed towards this question. I have also tried to draw attention to various practical suggestions, some of them based on plans previously established by others.

In order to make international security a reality it appears necessary not to limit action to the political sphere, but to extend it to the field of international criminal investigation, thereby completing the task of preventing and counteracting lawlessness and violence wherever it appears.

In drafting the present plan for organising international security I have limited myself to the western and central European regions.

DR. VICTOR ALTMAN.

INTRODUCTION

THE citizen pays his taxes in order to enable the state to maintain an efficient administration. It is efficient when it can guarantee to the citizen protection of life and property, when it is able to defend him against violation and infraction of the law, and against all aggression.

The state has fulfilled this task internally ; but a positive solution of the same problem in the international field is totally lacking. The citizen's financial contribution to the state is largely used for armaments ; and although they are said to be built for purely defensive purposes, history has taught us that, as armaments are piling up, war is bound to come sooner or later. And war, to those taking part in it, means destruction—annihilation.

Governments must therefore look for new ways to spare their peoples the sacrifices and sufferings of war, or to reduce warlike conflicts to an absolute minimum. But how ?

Clearly there is only one way to obviate armed conflict, and the nations must unite to this end : their unity must take the form of a League of Nations, a strong federation animated by the idea of international arbitration. But the League and its judicature need the protection of a strong arm, to give reality to the League's will—by force, if necessary.

This strong arm of the League is its executive, a kind of police.

The need for it has long been realised. Thus, U.S. Senator H. C. Lodge stated in his "Address to League to enforce Peace" (Washington, May, 1916), that "peace among the nations must be backed by force." A memorandum of the U.S. Naval Advisory Staff of March 14, 1919, contains this observation : "The League of Nations must be sufficiently powerful to keep in check, if need be, the strongest of its members."

At a later stage, too, it was realised that the League of Nations needed power to enable it to attain its goal, and the absence of a powerful international police force was felt and regretted. Thus we read in "Information Department Papers No. 17" (The Character of International Sanctions and their Application, Royal Institute of International Affairs, London, 1934) on p. 44 :—

"If the circumstances of the case called for military action in defence

of the victim of the aggression or against the territory of the aggressor, the League Council recommend the employment of:

- (i) A permanent International Police Force.
- (ii) An International Force consisting of contingents from states members of the League.
- (iii) National Forces operating directly under the authority of the League or indirectly with League authority in accordance with Treaties which are interdependent with the League Covenant."

Page 45 :

"The establishment of a permanent International Police Force voluntarily enlisted under League authority to prevent individual action in disregard of the League Covenant and to enforce the League's decisions has, admittedly, not yet reached the point of practical application. For the purposes of the present report, therefore, whatever the merits of the proposal may be, it requires no detailed consideration."

And on page 6 we find :

" . . . In the international sphere there is no permanent impartial and international police force to suppress disorder, prevent law breaking and compel submission and obedience to law. . . . "

At the present time, too, the problem of creating executive power for the new League of Nations emerges once more. None other than Winston Churchill made the following statement on March 21, 1943 :—

" . . . We must hope and pray that the unity of the three leading victorious powers will be worthy of their supreme responsibility, and that they will think not only of their own welfare but of the welfare and future of all. One can imagine that under a world institution embodying or representing the United Nations, and some day all the nations, there should come into being a Council of Europe and a Council of Asia.

" We must try—I am speaking, of course, only for ourselves—to make the Council of Europe, or whatever it may be called, into a really effective league, with all strongest forces concerned woven into its texture, with a high court to adjust disputes and with forces, armed forces, national or international, or both, held ready to enforce these decisions and to prevent renewed aggression and preparation of future wars.

" Anyone can see that this council, when created, must eventually embrace the whole of Europe, and that all the main branches of the European family must some day be partners in it. . . . "

Addressing the United Kingdom branch of the Empire Parliamentary Association in December, 1943, Field Marshal Jan Christian Smuts said: "The war has taught us that . . . we cannot get away from the problem of power. . . . Peace unbacked by power remains a dream."

Mr. H. Morrison, as Britain's Home Secretary, on December 11, 1940, addressed the National Defence Public Interest Committee in London. Speaking on the intermediate period between the termination of the war and the establishment of "perpetual peace," he had this to say on the establishment of an international air police force.

"Never again should it be possible for a thug with a bomber force to terrorise a continent, to smash homes and cities, to crush the innocent bodies of women and children, and to blast into powder the fruits of man's toil and the monuments of his greatness. The separate air force, the tommy-gun of the international gangster, must be abolished.

"We must seek a co-operative system to obtain European solidarity, and it must be controlled by an international police air force which would discharge for Europe and the world functions similar to those of the police in this country in maintaining order among the civilian population. . . ."

Belgium's Prime Minister, Hubert Pierlot, was reported by *The Times* (January 25, 1942) to have stated the following:

"But, first of all and most of all—Security. For me the true aim of this war is to ensure that our children will never see what we have seen twice in our own life. If we are not to get security after this war, it is useless to continue fighting. All the sacrifices will have been useless. And if we do get security, then I think that a great many of the political, social and economic problems which are troubling the world will be more easily resolved, because a large part of the difficulties during this last so-called peace had their sources in the lack of security and the menace of war. . . ."

In his "Reflections on the Revolution of our Time," Prof. Harold Laski, the leading theoretician of the British Labour Party, asserts that

"no state, except the Soviet Union, was ready to take the risks involved in agreeing, before the aggressor struck, to meet force with force; each vaguely hoped that by some stroke of fortune it would manage to escape its impact. The result was twofold. First, the aggressors had several years' start in armaments upon the states which

were anxious to keep the peace ; and second, there was no common plan of action against aggression."

Similarly, Dr. Hu Shih, former Chinese Ambassador to Washington, declares in his essay on " Force as an Instrument of Law and Government " :

" The moral, in short, is that peace must have power to enforce itself. Without this essential element of enforcement, all law and order are empty words."

Addressing the Moscow Soviet on November 6, 1944, the twenty-seventh anniversary of the October Revolution, Marshal Stalin said :

" . . . In future special measures must be instituted against aggression. Not only must the enemy be completely demobilised, but a special body with powerful armed forces must be set up to oppose aggression and smother warfare without delay.

" There will be a special organisation possessing all means necessary to protect the world and prevent a new war.

" What means are there to prevent new aggression on the part of Germany or, if a war has been started, what means are there to crush it straight away and not let it develop into a great war ?

" . . . It is necessary for this purpose to create a special organisation of representatives of the Allied Nations.

" It is necessary to put at their disposal the necessary armed forces, and this organisation must use these armed forces for the prevention of aggression and the punishment of the aggressor.

" The old League of Nations had no troops at its disposal. The new organisation will be a special plenipotentiary international organisation which will have at its disposal the means for prevention of war.

" Will this new organisation be effective enough ? It will be effective if the Great Powers who have borne the main burden against Hitlerite Germany will co-operate in future in the same spirit of unanimity and agreement.

" It will be not effective if the main conditions are not observed."

Lord Swinton, head of the United Kingdom delegation to the International Civil Aviation Conference in Chicago, stressed another aspect of the same problem when he stated on November 8, 1944 that a strong international authority to regulate post-war air traffic was needed to provide security against another world war.

On Armistice Day (November 11), 1944, Britain's Prime Minister,

Winston Churchill, paid an official visit to Paris. The creation of an International Police formed the subject of an exchange of views on this occasion. Belgium intimated through its Foreign Minister, M. Spaak, that it was willing to relinquish its former neutrality, which had been violated in two wars, and was now prepared to take part in international security measures.

Led by the U.S.A., Britain and the Soviet Union, the smaller states—Norway, Denmark, Poland, Czechoslovakia, Yugoslavia, Austria, Italy, France, Belgium and Holland—are to constitute a chain whose individual links are to provide military and air bases in the interests of international security. These plans, begun in Quebec and elaborated at the Moscow Conference, are to culminate in the creation of a European Security Bloc.

This idea is supported, among many others, by the Anglo-American journalist, Allan A. Michie. In his sensational book, "Keep the Peace Through Air Power" (first published in 1944) he states (p. 94) :

"That the peace of the world, so dearly won, could come to such a precarious pass was due solely to the unwillingness of the victor powers of 1918 to risk the use of force to keep peace. Even at as late a date as March, 1935, when Hitler, under the diversionary cover of Italy's Ethiopian aggression, openly and officially renounced the disarmament provisions of the Versailles Treaty as they applied to Germany, it would still have been possible for the great peace-loving powers to have halted Germany's militarists in their plans for the Second German War—but the ex-Allies were unwilling to exert their force and run the risk of war which the use of that force implied. By that time, it was encouragingly evident to the aggressors that the nations whose predominant interest was peace in the world, had no intention of upholding their common insurance against aggression which they had taken out in the League of Nations and its policy of collective security."

On October 30, 1944, the *News Chronicle* reports the result of a "Gallup Poll" held by the British Institute of Public Opinion in order to ascertain public opinion on the question, "whether to use force to keep the peace." The Institute stated :

"The Dumbarton Oaks proposals envisage putting military forces at the disposal of a Security Council to enforce peace, if necessary. A recent Gallop Poll shows that this has the overwhelming support of the British Public.

"The question : 'Should the Allies adopt for after the war the principle of using armed force against an aggressor?' was asked of a representative

cross-section of the public. British opinion, nationally, was as follows :—

Yes	..	..	..	77 per cent.
No	..	..	..	10 „ „
Don't know	..	..	..	13 „ „

“ Perhaps because women dislike the use of any kind of force they are less emphatic than the men in their support. Nevertheless, 70 per cent. of them, as against 84 per cent. of the men, favoured the idea of collective force against an aggressor.

“ Women seemed to have greater difficulty than men in making up their minds, and this applied especially to the younger ones.

“ Greatest support for collective security came from the well-to-do people, and least from the poorer people. It was not that the poorer people were more definitely opposed, they tended to be more undecided.

“ Collective security always carries with it the vexed problem of the degree of freedom which shall be allowed to individual member-nations in deciding upon the course of action to be adopted. To test feelings on the point the same men and women were asked :

“ ‘ Should Britain be absolutely free to decide for herself whether to use force or should she vote along with the other nations and accept the result of the voting ? ’

“ Opinions were more divided on this point, as is shown by the following result :

Free to decide	..	..	23 per cent.	
Accept voting	..	..	63 „ „	
Don't know	..	..	14 „ „	

“ Nevertheless, it is a striking result, since it implies that nearly two in every three men and women of this country are prepared to see Britain's freedom of action submitted to a majority decision of the United Nations on the supreme question of using force against an aggressor.

“ The differences in viewpoint noted between men and women, well-to-do and poor, in relation to the first question reappear once more. These differences are roughly of the same magnitude, but in every sub-group there is a clear majority in favour of accepting the result of voting.”

* * * *

All these utterances by leaders as well as the rank and file of public opinion indicate one common trend. In future, the United Nations must have the backing of force—a force adequate to give weight and authority to the decisions of this new body.

However, there are various views as to the organisation of this force. One of these views may be dealt with, and refuted, at the outset ; it is the school of thought which would allot police duties on behalf of the new League of Nations solely to an International Air Force. Allan A. Michie, the chief advocate of this idea, recalls the notable success of the R.A.F. in pacifying such districts as Waziristan, Iraq and the Anglo-Egyptian Sudan, and suggests similar methods for Europe. Yet it need hardly be stressed that the tasks awaiting Europe's future International Police differ fundamentally from those solved in the above-mentioned countries. Here, it is not merely a question of keeping recalcitrant tribesmen in check : it may be necessary to apply the League's executive powers to highly organised modern states. In addition, should such opponents retreat into one of Europe's larger massifs such as the Alps, the Pyrenees, the Carpathians, etc., an air force by itself would prove inadequate. This would require comprehensive action, including such details as the occupation and subsequent administration of enemy territory. Such extensive operations require the fullest co-operation of all forces, ground, air and, where necessary, sea, as an indispensable prerequisite of their success.

Moreover, the work of the International Police not only aims at safeguarding the nations by preventing armed conflict in the future, but it must also extend to international co-operation in what is police work proper—criminal investigation, combating and tracing crime and criminals. A truly international police force must achieve full co-operation in this field, too, in order to eradicate the enemies of order and humanity. It is only by collaboration of all the manifold branches of police activity that humanity's ideal aim can be achieved—peace, order and security governing international relations as well as the life of the individual.

The present work aims at dealing with the problem of an International Police Force, and with the various questions raised by it, in a brief and concise manner. No detailed plan is offered here, but merely a survey of the subject matter and an indication of the many difficulties that will have to be overcome.

Let it be stressed, however, that the International Police of the future will have to be "comprehensive," that is, it will have to be operative in both the political and the criminal investigation spheres, if a measure of external and internal security is to be attained which will at last bring peace to suffering humanity.

If the present work succeeds in evoking public interest and propagating the idea of international security, this book has served its purpose.

CHAPTER ONE

HISTORICAL SURVEY

THREE are thousands of projects, plans and blue-prints, books and pamphlets, on the problem of organising peace, dating back to early times. This is one of the questions that have always deeply stirred the mind of man.

Yet only a few of these plans are practicable : most of them belong to the realm of illusion and wishful thinking. We shall, therefore, mention only those proposals which deal with the practical aspect, that of giving executive force to the will of the "United States of Europe" ; for these alone can claim to be expressive of realism.

As early as 550 B.C. the Peloponnesian League provided for common organisation against a foreign aggressor and for concerted military action against him.

The ancient Amphictyonic League in Greece sprang from recognition of the fact that it is preferable to regulate warfare by agreement and a kind of judicial procedure. Each member of the League was required to swear a solemn oath, binding them when waging war to refrain from destroying a member-city of the League, to deprive its inhabitants of access to water, or to plunder a temple of Apollo. Whoever did so was branded "aggressor" and—in theory—subject to attack by the League's collective force.

The same idea is further developed in the League of Delos. Under the leadership of Athens a number of cities formed a league with its seat in the island of Delos. As most of them were sea towns, they established a joint fleet. Each town had to contribute ships for the League fleet. The poorer towns that were unable to build ships were permitted to pay money into a common fund, from which ships provided by other members were paid for. The League Executive was charged with defending all members of the Amphictyonic League against the Persians, with policing the seas against pirates, and with executing such sanctions as were decreed by the League.

The Achaian League had a similar executive, each member contributing a certain quota. This executive was equally available for measures of defence and sanctions resolved by the League. It will thus be seen that

the ancient Greeks were alive to the need of protecting international law and treaties by means of an executive force.

A different approach was chosen by the great Italian poet, Dante Alighieri (Florence, about 1310). In his work, "De Monarchia," he asserted that international justice found its best defence in a monarchical system. "Only in a Monarchy can Justice be paramount," he wrote, meaning that justice depends on the power behind it and prepared to enforce it.

In 1460, George of Podiebrad, King of Bohemia, attempted to form a League of Christian Princes with the aim of averting the Turkish peril. This league was also to put an end to conflicts between Christian nations, and to this end wage war jointly against the aggressor.

But it was Maximilian de Rosny, Duke of Sully, the great French statesman and financial genius, who was the first European politician to evolve the "Grand Design" of an international police force. When savage religious wars were threatening 16th-century Europe with complete destruction, Sully proposed a plan for universal improvement. He desired to eliminate war and conflict in Europe by creating a European Federation. This federation was to possess a joint council and a joint armed force to execute the decisions of the council. The council was to arbitrate and supervise a number of matters, including religious questions. Sully intended all member states to make their contribution to the executive force in proportion to their strength, an idea which was amplified in greater detail by Henry IV of France. The King suggested the following quotas: the Pope to contribute 8,000 infantry, 1,200 cavalry, ten cannon and ten galleys; the Emperor and Princes of Germany, 60,000 foot, 20,000 horse, five big guns and ten galleys; the King of France, 20,000 foot, 4,000 horse, twenty cannon and ten galleys and other craft. The contingents of other members of the federation are also given in detail.

The plan was never realised; but to Sully, a thorough realist and statesman, averse to anything utopian or fanciful, is due the honour of having been among the first Europeans to have realised that moral force cannot exist without the backing of physical force.

William Penn, the English Quaker, shortly after the termination of the Thirty Years' War published an essay in which he suggested the formation of a European Parliament for the preservation of peace. He, too, realised that without armed force at its disposal a Parliament of States must remain a shadow, and therefore demanded that each of the federated states maintain a small force. Should one state refuse to recognise a

decision of the Grand Parliament, the "United States" were jointly to enforce that decision and bring about the subjection of the recalcitrant, the cost of such action to be imposed on the guilty state.

The Abbé Charles de Saint Pierre had taken part in the peace negotiations of Utrecht. Depressed by what he had seen there, and apprehensive for the future of Europe, he wrote a memorandum which he presented to the representatives of all states taking part in the negotiations, entitled, "Projet de Paix Perpetuelle."

He proposed the creation of a "Senate of Peace" whose President was to be called the "Prince of Peace." The Senate was to be the representative assembly of a European "Grand Alliance." This assembly was to dispose of a "combined force," a supra-national police force to which the members of the alliance were to contribute their contingents according to their military strength.

Joint action is taken against any Power infringing the statute. A state that refuses to recognise a decision of the Senate of Peace or resorts to armed force without previous permission of the Alliance is to be declared its enemy. The Alliance will wage war against it, and it will have to bear the cost. The abbé was thus well ahead of the modern League of Nations whose covenant did not contain provision for branding the aggressor as a criminal and a war of aggression as a crime.

The ideas evolved by the Abbé de Saint Pierre exerted strong influence on the subsequent trend of European thought. Leibnitz, Kant, Rousseau and Bentham reverted to his plan, developed it and lent it their eloquent support.

Another interesting suggestion came from the English Quaker, John Bellers (about 1700). In a detailed project submitted to Parliament he envisaged the formation of a European League which was to banish war forever. Bellers advocated the division of Europe into 100 cantons, each of which was to furnish 1,000 men or their equivalent in ships. This accumulation of power was to enable the nations of Europe to settle any conflict.

In 1761, Jean-Jacques Rousseau re-edited Saint Pierre's plan and added his own observations. Rousseau demands "some coercive power to co-ordinate the activities of its members, so as to give to its common interests and present engagements a firmness and consistency not otherwise available"

Rousseau then asks what the European Powers were going to do "if there were a great, armed league, ever ready to forestall those daring to

destroy or resist it . . . ", and wants that league " to have such coercive force as will induce all states to bow to joint decisions . . . "

The great philosopher thus admits the importance of force backing moral strength and translating it into reality.

Twenty-five years earlier, in 1736, Cardinal Alberoni, a Spanish Minister, had elaborated a project for appointing a " Permanent Parliament of Christian Powers," which was to apply peaceful arbitration to all differences. Should a member state refuse to accept the Parliament's decision and make formal declaration to this effect, it was, after a lapse of six months, to be declared a disturber of the peace. Military execution was to be levied upon it until such time as it surrendered, repaired all damage caused, and repaid all costs arising from its behaviour.

It was towards the end of the 18th century that the German philosopher, Immanuel Kant, published his work, " Zum ewigen Frieden " (Towards perpetual peace).

He shares Rousseau's views on the essential badness of human nature. Perpetual peace does not depend on a change of morals ; it is as it were bound to come. The badness of human nature is opposed to progress, yet unavoidable fate must in the end bring perpetual peace. The rise of alliances and federations of states is the direct consequence of war, since humanity, from motives of self-preservation, is compelled to reduce the number of wars with their train of suffering and misery. Kant is convinced that sooner or later, despite all accidents of fortune, the nations are going to form an alliance of states " governed by law." Mankind will have to evolve in this direction if total annihilation is to be avoided. Kant then speaks of standing armies allotted to individual states. The " common cause " finds its " practical realisation " in an organised military force.

Kant is right in asserting that it is war which sooner or later will compel mankind to co-operate. Does not the creation of the League of Nations following the last war bear out his theory ? It is equally confirmed by the present war which threatens mankind with total annihilation unless it turns towards " the aim destined by nature," the alliance of free nations.

About 1800, a Swiss priest, Konrad Nageli, published a number of " Suggestions to be incorporated in the Revision of the Swiss Constitution." Article 663 of these suggestions demands : " The armed forces of all nations shall be at the Peace Court's disposal in order to enforce its decisions."

The Frenchman Gondon in 1807 published a work entitled " Du Droit public et du Droit des Gens, ou, principes d'association civile et

politique ; suivis d'un projet de paix générale et perpetuelle." He advocates a European Union possessing four distinct organs of government ; one of them was to be the " Protector of Europe," disposing of armed troops supplied by the member states. That armed force was not to exceed the number of troops maintained by the strongest member of the Union.

Even Johann Gottlieb Fichte, the German idealist and philosopher (1795), could not deny that a League of states, however rarely, would need military contingents to enforce its decisions. These contingents were to be furnished by the member states.

A European League of Nations was also advocated by the Director of the Royal Bank of Copenhagen, Conrad Friedrich von Schmidt-Phiseldek, a German who later became a naturalised Danish subject. If a member state were to reject the verdict of a special court of arbitration it was to be expelled from the League ; and if it persisted in a hostile attitude, the armed forces of the European League were to be used against it. The author, quaintly enough, visualized this League as a counterweight to the " growing influence in Europe of the United States of North America."

His fears were shared by the Spaniard Juan Francisco Sineri (1839), who envisaged a disunited Europe being robbed of its proper importance in world affairs by a united U.S.A. In his " Constitución Europea," he proposes a European Confederation, with a Supreme Court of its own. A member refusing to obey a Supreme Court verdict was to be deemed to have declared war on the whole of the Confederation : the verdict was to be enforced by means of the military power of the confederated states.

In his " Nouveau Projet de Traité de Paix Perpetuelle " (1842), the Frenchman, F. R. Marchand, advocated a Federation of Russia, England, Austria, France and Prussia, with a permanent Congress representing these states. The member states were to furnish military contingents according to a certain quota. Marchand makes the curious suggestion of employing these troops also for the conquest of territory and in furtherance of wars waged by the Federation.

A Russian general, Prince Peter of Oldenburg, visited almost all the Courts of Europe (1863) in order to make personal contact with the sovereigns with whom he negotiated on the establishment of a durable peace. He met Napoleon III, the King of Prussia, Queen Victoria, Czar Alexander III of Russia, and his remarkably advanced plan was as follows :

1. All civilised nations to renounce war on principle, their governments mutually guaranteeing their territorial integrity.

2. An international committee of arbitration to settle all disputes.
3. An International Convention to regulate the size of all armed forces.

Americans, too, took a growing interest in problems of international security. W. I. Hull, Swarthmore Professor of History and International Politics, propounded the following system. The world's armies and navies were all to form part of the international police force. They were to be reduced in numbers, and the combined force thus formed was to operate against those states condemned by an international tribunal. Hull describes this force as "a real police force which the present generation ought to be able to realise."

The American Congressman and President of the American group of the Inter-Parliamentary Union, Richard Bartholdt, at the Union's conference in Brussels in 1905, suggested the creation of a League of Nations with a legislative, judiciary and executive of its own.

After 1900 the idea of a supra-national police force was steadily gaining ground, supported chiefly by Americans. In 1910 a resolution was submitted to Congress, appointing a committee of five

to consider the expediency of utilising existing international agencies for the purpose of limiting the armaments of the nations of the world by international agreement, and of constituting the combined navies of the world an international force for the preservation of universal peace.

This resolution received the assent of the Senate and the House of Representatives.

President Taft endeavoured to obtain the consent of the European Governments. Sir Edward Grey, the British Foreign Secretary, stated in a House of Commons debate on March 13, 1911: "Some armies and navies would remain, no doubt, but they would remain then, not in rivalry with each other, but as the police of the world."

Already, in 1904, President Theodore Roosevelt had stated in his message to Congress: "There must remain in being an army capable of acting as international police." And in 1910 he asserted:

"The supreme difficulty in connection with developing the peace work of the Hague arises from the lack of any executive power, of any police power to enforce the decrees of the Court. In any community of any size the authority of the courts rests upon actual or potential force, on the existence of a police, or on the knowledge that the able-bodied men of the country are both ready and willing to see

that the decrees of judicial and legislative bodies are put into effect. . . . Each nation must keep well prepared to defend itself until the establishment of some form of international police power, competent and willing to prevent violence as between nations. . . ." (Address before Nobel Prize Committee, Oslo.)

Roosevelt's successor, President Wilson, in an address to the U.S. Senate on January 22, 1917, stressed that peace could not be safeguarded by treaties alone. In order to ensure the durability of treaties it was necessary to appoint some authority more powerful than any single nation or actual or projected alliance, and irresistible to any state or group of states. If peace was to be a lasting one it had to be safeguarded by the united force of mankind.

Nicholas Murray Butler, President of Columbia University, stated that, "as long as human nature remains human each state will need its police system, and the world as a whole a supra-national police."

The Dutch, too, made valuable contributions to this conception.

In 1910, Professor C. van Vollenhoven, of Leiden University, wrote in "Holland's Vocation":

" . . . But if, by the side of the International Court which would everywhere and always uphold the written and unwritten rules of international law, an international fighting force were established, which would actively maintain peace and justice as the instrument and under the control of the said court, the large as well as the small states would gradually give up their national armaments ; there would be a guarantee as satisfactory but less costly for the big states, fare more satisfactory and yet very much less expensive for the small ones . . . the peace of the world will be based on firm foundations. . . .

" . . . Then we no longer cry for "Peace through Justice," but peace through an international force to defend the right. . . .

" . . . We cannot, of course, rest satisfied when the idea of such an international force has been broadly outlined and discussed in general terms. Much remains to be done before a responsible man dare champion it.

" The project must be fully thought out, its execution prepared systematically, its consequences—military and legal—examined and clearly stated."

In "Pax militans" (February 1912) van Vollenhoven asserts "that

every state would have to place practically its entire fighting force at the disposal of the international tribune . . .

" . . . When Fried, the latest Nobel prizeman, discussed in his manual of the peace movement this coming international police, he spoke of the enforcement of the order and security of international intercourse."

The same author writes in " International Police and Pacifism " (August 1913) :

" . . . I have again and again experienced the bitterness of the reproach, that instead of overcoming violence by virtue, by justice and charity, instead, therefore, of overcoming evil with good—this international police is an attempt to triumph over violence through violence itself . . .

" This first step must lead on to the arming of the Community of Nations, conjointly with national disarmament ; the second purpose the gradual disarmament of these collective forces, except for the upkeep of a police force, similar to those which maintain order in each separate country . . .

" . . . it is only proposed to replace existing violence, national, arbitrary, imperfect, unorganized, by the organized, impartial and well-controlled violence of to-morrow. As to its tendency, it purposes to convert the coercive action of the European concert, based on the interest and good pleasure of the six powers, partial and a source of danger to small states—into an enforcement authorized by an international tribunal, which will be a menace to no one, it will base itself wholly on positive international law . . .

" . . . The international police in reducing national armaments, will have a most salutary influence in the direction of pacifism."

The Dutch Minister for War, J. C. C. den Beer Poortugal, a member of the " Institut de Droit International," declared (see " War Obviated," by Martins Nijhoff ; p. 99) :

" The setting-up of an international armed police force seems a reasonable idea . . . each state would be obliged to supply and to pay its own contingent, the size of which, as regards the army, would be determined by its population."

The Dutch professor, de Louter, writes :

" The international execution will not consist in using means of compulsion . . . but in the action of a superior force against the recalcitrant state, which would naturally oppose it by force."

And in his pamphlet "Als de Vrede komt" (When Peace Comes), 1914, H. Dunlop, another Dutchman, suggests :

" . . . then all standing armies should be abolished and in their stead an International Police (*Gendarmerie*) should be formed, whose task will consist in protecting Europe and what is called Western Civilisation and to execute the decrees of the International Court of Arbitration.

" When we assume that Europe is inhabited by about 415 million people, that Police Force or *Gendarmerie* may count 4.15 millions of soldiers (say one per cent. of the population). In the first place they can receive a military education, so that they form a power which, under all circumstances, will be able to enforce the will of Europe without the least chance of being opposed

" But apart from military training, the soldiers will have to be made acquainted with the countries where they sojourn, they will have to learn each others' language and literature, they will have to study all artistic accomplishments, thus learning to appreciate each others' merit of all kinds.

" In order to do away once and for all with the insensate jingoism of our time, each country should have as few *gendarmes* of its own nationality as possible, but the greatest possible number of other nationalities.

" In each country, therefore, the national element would be so much in the minority that not a single nation could oppose the decrees of the International Parliament provided, however, that the international *gendarmerie* in each country will be the sole armed and organized force and that the manufacturing of arms will be regulated by international agreement. Uniform and equipment must be the same for the whole of Europe.

" The international *gendarmerie* would not owe obedience to any power except to the International Parliament to which each individual soldier would have to swear allegiance.

" . . . The possession of firearms, except for sporting purposes, should be made punishable and should be only allowed to those who have obtained a special permit from the international *gendarmerie*"

Dr. Walter Schuecking, a German Professor of International Law of Marburg University, shared the view that only an international police

would be able to provide the necessary guarantee for international law as codified in the Hague.

Sir John Seeley, the well-known historian, claimed that there was only one solution: a dispute must be taken out of the hands of the parties to the quarrel and submitted to the decision of a third party, qualified by character to give a decision. This verdict must then be enforced on the litigants; for this purpose there is need of the ultimate development in this direction: the executive power of the League.

In his "Principles of International Law" (1911) Professor T. J. Lawrence asserts that wars will go on until such time as powerful and unscrupulous states will be kept in check by international courts and police forces.

H. G. Wells, the famous novelist, historian and sociologist, writes in "In the Fourth Year" (p. 33) that

"behind the decisions of the Supreme Court must lie power. The very existence of the League presupposes that it, and it alone, is to have and to exercise military force."

The Anti-War League, formed in England in 1916 on the initiative of Herbert Stead, strongly urged the creation of an international police. The League was convinced that no treaties, agreements, undertakings or sanctions would ever prevent a new war of aggression.

In 1919 the Rt. Hon. G. N. Barnes represented working class interests when the International Labour Organisation was founded at the Peace Conference. With full emphasis he predicted that an aggressor nation would be able to exploit the delay and confusion prevailing in the League of Nations, and to achieve its aims before the armed forces of the world could be mobilised. He would have been glad to have found indications of an international police being formed, ready to proceed against any aggressor nation. (Plenary session of Peace Conference, Feb. 14, 1919.)

The English publisher, H. J. Paintin (Paintin & Simpson), in 1926 published a plan, entitled "Federation of Man." A "Supreme Executive Council" is to form the governing body of this federation. A "Ministry of International Defence" is to organise and maintain an international force to repel aggression or invasion, to preserve order and enforce compliance with international law. This force protects all international communications.

Bertrand Russell, philosopher and member of the Royal Society, wrote in "The Realist" in 1929 that there would be no security so long as each nation had its own army, navy and air force. Each nation was going

to use these forces the moment its passions were aroused, all government-concluded treaties and agreements notwithstanding. There would be no security until men would apply to international relations the same principles as employed to ensure internal security. Force must no longer be resorted to by any single party to a dispute, but by a neutral authority which must closely examine the quarrel.

The "Women's Organisation for World Order" (Switzerland, Austria, Czechoslovakia and Canada), in 1935-1938 published a League of Nations project. This plan provides for a "World Order Force," composed of an equal number of men and women volunteers from all nations, each nation to supply the same number of persons. These volunteers are to perform their service in "administrative centres" under the command of a "World Government."

The American attorney, William C. Brewer, in 1940 published a plan (Philadelphia, Dorrance) for "Permanent Peace." A World Supreme Court renders verdicts, to be enforced by an international police as against any recalcitrant nation.

The English journalist, Edward J. Bing (Coward McCann Inc., New York, 1943), published a Five-Year Plan entitled, "A Schedule for Peace Building."

He wishes all the nations of the world to participate in this world organisation. Two years after the armistice concluding the present war a Constituent Assembly of the Union is to be called. Its officers and employees are to be given "Union Citizenship." In order to attain the aims of the Union the author demands "international armed forces."

In his work, "Cinch the Victory" (Wilberlilla Publishers, Seattle, Washington, 1943), Eldon Griffin, an American author, submits detailed plans for an international police. His World Union is headed by the "United Nations World Government." The international police is composed of volunteers. Their chief task is to prevent disorder and military activity on the part of Union members; to safeguard elections, to protect minorities, and to proceed against any disturbance of world or local peace. Neutral units only are to be used at first; member states that were Axis partners in the past are to be granted merely a long armistice, extending possibly for 30 years, so as to make certain of democratic progress in those countries.

A former member of the legal section of the League of Nations Secretariat, Max Habicht, a Swiss, in 1943 published a project entitled, "Is an Enduring Peace Possible?" He proposes a Senate, a Chamber of Guilds, a

House of Deputies, a World Council and a World Court. Decisions are to be enforced by "professionals" and not by the average civilian forcibly converted into a soldier. He wants to raise police forces of very high standard, to be recruited from among all nations on a voluntary basis and to be distributed throughout the world.

An American teacher, Richard Burton Johnson, in 1943 issued a World Federation Plan. He proposes a World Police Force composed of equal contingents of every great belligerent power. This police force, however, is to be used against individuals only. It is "to remove all vital gear from armed equipment such as warships, airplanes, tanks, guns and small arms. Such vital parts to remain under jurisdiction of force pending disarmament legislation by the Permanent World Government."

"Co-order Nations" is the title of a revised plan published in 1943 by another American, Wallace C. Speers. He suggests "World Armed Forces" as an executive; recruited from every country, they are to consist of 75 per cent. of natives of the country and 25 per cent. of other nationals. Their task is "to patrol the world; to prevent secret preparations of heavy armament"; and a "War Council" is to determine the strategic location of the world army.

"The World Settlement from the Trial of Adolf Hitler" (E. P. Dutton & Co. Inc., 1944) is a plan drafted by Michael Young, an English journalist. He advocates a World Police, to comprise a Military High Command, a Naval High Command and an Air High Command. This force is to support and execute the decisions of a "High Tribunal of Justice." Japan is to be occupied for a term of 50 years by Chinese, Formosan and Manchurian troops, such occupation to be supervised by the World Police. Germany is to be split up into a number of independent republics whose frontiers are to be garrisoned by the World Police for a period of 50 years. In Italy, this World Police is to exercise nominal supervision. The High Tribunal is to have its seat in London, while the headquarters of the World Police High Command is to be in Berlin; the Naval Command is to be located in Tokio and the Air Command in Rome.

A much discussed plan entitled "Total Peace" has been published by the American, Ely Culbertson (Doubleday, Doran & Co. Inc., Garden City, New York, 1943). He proposes the creation of a "Quota Armed Force," to be organised as follows:—

Composition :—Twelve separate armies: Eleven national contingents, one Mobile Corps (made up of international contingents).

National Contingents.

Consist of officers and men of each initiating state, stationed only in country of origin, except United States and British Contingents, which are also stationed in respective strategic zones in Malayan and Indian Confederations. In time of war, National Contingents come automatically under command of World Confederation President without consent of nation of origin, but no part of armed force required to engage in war against its country of origin. Term of enlistment, six years, not renewable; ex-soldiers have preference rating in World and Regional Confederation Civil Service.

Mobile Corps.

Recruited from all member nations other than Initiating States; stationed in strategic areas purchased or leased by World Confederation; always under training and command of World Confederation of which soldiers are citizens during enlistment, country of origin no control; enlistment six years, not renewable; ex-soldiers receive preferential civil service rating in World and Regional Confederations.

Quota Armed Force Distribution.

National Contingents of Initiating States :

20 per cent. United States.

15 per cent. Britain, including Dominions.

15 per cent. Russia.

6 per cent. each of the following : France, China.

3 per cent. India (under British Command), Germany, Poland, Turkey.

2 per cent. Malaysia (under American Command).

2 per cent. Japan.

International Mobile Corps.

Made up by all non-initiating Member States not listed above : 22 per cent.

The United States, Britain and Russia together control 50 per cent. of the world's armed force : with British control of the Indian armed force, and United States control of the Malaysian, these three nations actually control 55 per cent. of the world's military force.

In his essay "Towards an Abiding Peace" (Macmillan & Co., New York, 1943), Professor Robert Morrison MacIver, a Scotsman, proposes the establishment of an "Office of International Police," which is to

control a world armed force subject to Assembly regulations. The task of this international armed force is to uphold the law and to protect the member nations.

“Geopolirea Union” is the title of a work published in 1943 in Denver, Colorado, by Robert Arthur Merril. A force called “Geopolice” figures largely in this plan.

“Armed force of each Geopolirea to be divided into twenty-two units; each area to have approximately the same number of armed forces; eleven units of the Geopolice always stationed within the Geopolirea; eleven, on duty in other Geopolireas, one unit in each. Thus each Geopolirea to be policed by twenty-two units at all times. Each unit to be on duty six months abroad, and six at home. About 100,000 men in each Geopolirea. Civilian reserve forces to have supplemental basic training.”

Herbert F. Rudd, an American professor of Eastern Asiatic history, in 1943 proposed the establishment of an “International Police Force,” to be

“composed of volunteers from member nations in proportion to national representation in Congress. Approximately 1,000 soldiers for each representative in Congress. Total: 400,000. Force to be controlled and directed by the Congress.”

Mr. Walter Nash, a former Minister of Finance in New Zealand, in 1943 advocated the creation of a “United Nations Military Council.”

In an address before the Foreign Policy Association (October 17, 1943) and in an article in the *New York Herald Tribune* (January 26, 1944) Mr. Sumner Welles, a former U.S. Under-Secretary of State, proposed a World Court and a Security Commission, to be composed of military, naval and air experts appointed by the major powers. Its duties were to carry out Council decisions requiring the use of armed force.

A European Army is proposed by Count Richard N. Coudenhove-Kalergi, formerly an Austrian and now a French subject, in his “Crusade for Pan-Europa” (G. P. Putnam’s Sons, New York, 1943). He proposes a

“small, highly mechanised force recruited from member nations with none having more recruits than 10 per cent. of the total force; European army to be of equal strength with Soviet Army (to prevent Europe from being at Russia’s mercy). Commander-in-Chief preferably a high-ranking Swiss Officer to be named for specified term by Federal Government. Additional compulsory training of all European

men in local or regional militias on Swiss model to assist European army in case of invasion, but not for intervention against Europe's neighbours (militia to have no mechanized equipment).

A European Police is also suggested by the American writer, Dr. Leo Dub, in his work "Unitary State" (Massachusetts, 1943).

It may be added here that the offer of union made to France by the British Government on June 16, 1940, in the "Declaration of Union" made provision for "joint organs of defence."

An International Air Force is demanded by the British Military Research Committee of the New Commonwealth Institute in one of its publications entitled "Air Force for the Peace Front" (The Peace Book Co., London, 1939). The book makes detailed proposals also for an International Strategic Reserve and an International Force. Cadet Training Schools are to be established: candidates who receive the authorisation of their national governments may join this International Force. They are issued with an international passport and may claim the citizenship of any of the federated States.

"International Air Force to have twice the strength of the strongest national air force in offensive and defensive planes; to receive annual contributions from member nations equal to proportion of their annual resources or of their war budgets; to have extra-territorial air bases in each member nation's territory."

That UNRRA envisages some sort of international police is evidenced by a passage in the "Agreement of United Nations Relief and Rehabilitation Administration, of September 20, 1943. In the "Register for Relief Work Abroad—List of Duties and Qualifications," issued by the British Ministry of Labour and National Service, we read on page 2:

"Grade II, (1): Police . . . Policing and protection. Experience as Senior Police Officer—Home or Colonial Service."

In November, 1943, the Belgian General, Marcel de Baer (Chief Justice of the Belgian Courts in Great Britain and Professor of Law, Member United Nations Commission for the Investigation of War Crimes), published the project of an executive organ in the form of an "International Constabulary." Personnel nominated by member nations. Duties: to carry out order of Court and of Procurator-General with right to request assistance of local police.

An International Air Force is advocated in a Paper, "The United Nation and the Organisation of Peace," issued in February and November, 1943, by

the "Commission to Study the Organisation of Peace." It is at first to be formed of squadrons ceded to it by the principal United Nations. Later a permanent force is to be recruited from volunteers swearing allegiance to the United Nations. It is to be supported by national military and naval contingents and by economic sanctions. Equipment: bomber and fighter planes. Cargo planes to carry free freight; troop carriers; submarines to protect air bases.

Very valuable pioneer work on behalf of an international police force has been done by the late Lord Davies. Lord Davies, who died in the spring of 1944, unceasingly propagated this idea, publishing a comprehensive work on the subject ("The Problem of the Twentieth Century"). He took every opportunity of stressing his view that any proposed League of Nations devoid of an executive force must remain abortive. He strongly advocated the creation of an international police force, which was to consist of national contingents and to have the exclusive right of employing such armaments as aircraft, tanks and submarines for the sole purpose of enforcing League decisions against an aggressor. Member States would be permitted to retain their own—lightly armed—forces on condition that they would be put at the disposal of the International Police Force when required.

In 1924, a draft proposal was submitted to the fifth League of Nations Assembly in Geneva by H. E. Hyde, of New Zealand, which provided for utilizing the armed forces of Member States for the purpose of safeguarding peace and preventing aggression. These forces were to act under a League of Nations High Command, with a special General Staff in Geneva. Land, air and sea forces were envisaged, and in addition a special Staff College. The General Staff of this combined force was thus to consist of generals, admirals, air marshals and military experts, and in an emergency was to assume command of these forces which in normal times were to remain under their own national authorities.

A "Flying Police" for Europe was advocated by two prominent Englishmen, Sir Sydney Low and Professor P. J. Noel Baker.

Similarly an International Air Force was suggested in 1930 by M. Henri de Jouvenel, the French diplomat. This force was to be put at the disposal of the League of Nations for the maintenance of peace.

Another French politician, M. Paul Painlevé, proposed an international military unit composed mainly of naval and air forces. All states were to contribute in proportion to their size, individual contingents to remain under their national commands. The Commanders-in-Chief of this

combined force were to be supplied by different states. Painlevé was convinced that the mere existence of this force would be sufficient to ensure peace ; yet if pacific methods to preserve peace should fail, utilization of this force was proposed.

Squadron Leader R. E. G. Fulljames, R.A.F., suggested that an air fleet consisting of 114 squadrons of bombers, fighters, seaplanes, transport and troop-carrying aircraft be put at the disposal of the League of Nations. Individual contingents were to remain stationed in their countries of origin and to take part in one month's combined exercises once a year. Only in the case of an actual emergency was this force to be mobilized.

We have already referred to Allan A. Michie's book "Keep the Peace through Air Power," in which he advocates charging the air force with international police functions. Maintaining a land army for this purpose, Mr. Michie thinks, is too costly, while the navy could only play an indirect part in preserving the peace. The air arm is the only instrument that can be brought into play without delay and can act at once in the danger zone without imperilling the citizens of allied countries. The mere threat of air bombardment would bring results, and it would be possible to supervise a country without having to resort to actual occupation.

Dumbarton Oaks (Planning for Peace and Security).

The Governments of the United States, the United Kingdom, the U.S.S.R. and China published a "Declaration on General Security" in Moscow on November 1, 1943, stating that

they recognise the necessity of establishing at the earliest practicable date a general international organisation, based on the principle of the sovereign equality of all peace-loving states and open to membership by all such states, large or small, for the maintenance of international peace and security.

In accordance with this declaration, plenipotentiaries of the four Powers met at Dumbarton Oaks, near Washington, to draft tentative proposals for a new Covenant.

The result was a set of proposals which were to be studied by the various governments. The tentative proposals were to be amplified, and complete proposals were to be worked out to serve as a basis of discussion at a full conference of the United Nations.*

* The Dumbarton Oaks proposals thus constituted the terms of reference of the San Francisco Conference in 1945.

It is intended to establish a United Nations organisation, which is :

(1) To maintain international peace and security ; and to that end to take effective collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means the adjustment or settlement of international disputes which may lead to a breach of the peace ; (2) to develop friendly relations among nations and to take other appropriate measures to strengthen universal peace ; (3) to achieve international cooperation in the solution of international economic, social, and other humanitarian problems ; and (4) to afford a centre for harmonizing the actions of nations in the achievement of these common ends.

All members of the organization undertake, in order to ensure to all of them the rights and benefits resulting from membership in the organization, to fulfil the obligations assumed by them in accordance with the Charter :— to settle their disputes by peaceful means in such a manner that international peace and security are not endangered ; to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the organization ; to give every assistance to the organization in any action undertaken by it in accordance with the provisions of the Charter ; and to refrain from giving assistance to any State against which preventive or enforcement action is being undertaken by the organization.

Its principal organs consist of a General Assembly, a Security Council, an International Court of Justice, and a Secretariat. All member states take part in the General Assembly, which has the right to consider questions of principle, including those of disarmament and the regulation of armaments. Questions necessitating United Nations intervention are to be referred to the Security Council. While any matter relating to the maintenance of peace is under consideration of the Security Council the Assembly should abstain from making recommendations of its own. The Security Council is to be empowered to recommend the admission of new or the exclusion of existing members.

Each member is to have one vote in the Assembly. Important issues require a two-thirds majority. The Assembly is to have one annual session, with provision for special sessions.

The Security Council consists of one representative of each of eleven member states, permanent seats to be held by U.S.A., Britain, the Soviet

Union, China and, in due course, France. The Assembly elects six States to fill the non-permanent seats, for a term of two years.

The Security Council is to function continuously, and each state member of the Security Council should be permanently represented at the headquarters of the organization. It may hold meetings at such other places as in its judgment may best facilitate its work. There should be periodic meetings at which each state member of the Security Council could, if it so desired, be represented by a member of the Government or some other special representative.

The Security Council should be empowered to set up such bodies or agencies as it may deem necessary for the performance of its functions, including regional sub-committees of the military staff committee.

The Council is empowered to investigate any dispute which may lead to international friction, and to propose suitable steps for the maintenance of peace. If convinced that international peace and security are endangered, the Council may take such action as is considered necessary. Such action may consist in diplomatic or economic measures, such as partial or total suspension of rail, sea, air, postal and telegraphic communications. If such measures prove insufficient the Security Council may invoke the assistance of air, sea and land forces. In this case Member States are to give all possible support.

In order to carry out urgent military measures, air contingents for joint international action are to be held at the disposal of the Security Council by the Member States. There is to be established a military staff committee, the functions of which should be to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, to the employment and command of forces placed at its disposal, to the regulation of armaments and to possible disarmament. It should be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. The committee should be composed of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any member of the organization not permanently represented on the committee should be invited by the committee to be associated with it when the efficient discharge of the committee's responsibilities requires that such a state should participate in its work. Questions of command of forces should be worked out subsequently.

Responsibility for the discharge of economic and social tasks is to be

vested in an Economic and Social Council, under the authority of the Assembly, consisting of representatives of 18 states and entitled to appoint commissions of experts.

The Secretariate is to form the permanent office of the Organisation.

Commenting on results achieved so far, the London weekly *Free Europe* (October 20, 1944) observes :

“ . . . No single Power is strong enough to enforce order and peace in the world. On the other hand, the Great Powers are not ready to support the idea of an international government or world federation. Consequently, to avoid international anarchy, the Big Four adopted the compromise formula of free co-operation. The Covenant of the old League of Nations has given the world such a basis, yet it failed—not because its machinery was defective, but because the Great Powers had not the will to operate it. And the machinery of the new international security organisation can be made to function swiftly and decisively only if the will to peace and justice is insistent among the Great Powers.

“ It has often been said that the Geneva League lacked ‘teeth.’ That is true, but the fault lay only partly in the machinery ; partly it was due to the unwillingness of the Great Powers to work together for peace. Five Great Powers signed the Covenant as ‘original members,’ but one of them, the United States, inflicted the first crippling blow upon the League by refusing to join it. Another original member, Japan, was insincere, and played for time while preparing a policy of large-scale aggression. In 1926 Germany joined the League, although she was determined on rearmament and territorial revision. Like Germany, Fascist Italy, too, proved a liability rather than an asset to the League. After the two main aggressor Powers, Japan and Germany, had left the League, Soviet Russia joined it in 1934, but she was expelled following her attack on Finland.

“ The old League is dead, but the idea behind it cannot be killed. The world community of nations is a necessity. Modern discoveries and technical inventions have compelled the nations to co-operate in the interests of their own security and prosperity, although in the field of ethics humanity has not progressed much since the days of Jesus Christ.”

The Dumbarton Oaks Conference left unsolved a number of important questions, among them that of voting procedure in the Security Council. *Free Europe* (see above) makes the following comment :—

“ . . . the central question of voting in the Security Council has been

left undecided. The Russian delegation insisted that the rule of unanimity should be maintained among the permanent members of the Security Council. . . . A leading article in the Moscow paper, *Izvestia*, revealed that a proposal was put forward at Dumbarton Oaks not to apply the principle of unanimity in disputes involving a permanent member of the Council. In these cases it was proposed (obviously by Britain and America) to withdraw the right of voting from such a member. This suggestion was rejected by the Russian delegation. 'Such a suggestion,' wrote *Izvestia*, 'would actually mean the rejection of the principle of concord and unanimity in solving problems appertaining to one of the leading Powers who are permanent members of the Council, and an attempt to solve such problems behind the back of this Power.' This controversy demonstrates that any international organisation is powerless if there is a serious conflict between Great Powers. It may be assumed that this controversy will be solved in direct conversations between Marshal Stalin, Mr. Churchill and the President of the United States, but no diplomatic formulae can change the fact that if one major Power were to be branded as aggressor by the other three, the new League would come to an end and a third World War break out."

Other important questions remain to be answered. For instance, the Covenant of the old League, in Article 10, guaranteed the territorial integrity and existing political independence of all members: no such provision is contained in the Dumbarton Oaks proposals. Another, vital, omission is the total absence of any attempt to define the term "aggression." This task has often been undertaken, for without a clear definition no effective action on the part of the United Nations, or their "International Police Force," is possible. How can the Security Council intervene and decide to apply its instrument, the IP, if the question as to whether an act of aggression has been committed or not is to be the subject of long-drawn deliberations and votes, necessary in the absence of a clear definition?

The Dumbarton Oaks proposals are to be studied and amplified by the United Nations. Let us hope that the additions that may be made to the original project will enable the plan to be converted into a suitable instrument for guaranteeing international peace and security.

San Francisco

The San Francisco Conference, held between April and July, 1945, produced a "Peace Charter," whose essential features were as follows:—

Its leading principles are the preservation of international peace and

international security ; all threats to peace must be removed and international disputes solved by peaceful means. Based on the principle of equal rights, international relations and collaboration are to be promoted and amplified.

The organs serving these purposes are :

- (1) The General Assembly,
- (2) The Security Council,
- (3) The Economic and Social Council,
- (4) The Trusteeship Council,
- (5) The International Court of Justice,
- (6) The Secretariat.

1. The General Assembly.

The General Assembly is to form a kind of World Parliament. Member States are to have one vote each. This assembly of the nations is to discuss all questions referred to the competence of the United Nations Organisation. Member States may submit recommendations for the solution of questions under discussion.

2. The Security Council.

This is the world police authority. The U.S.A., Great Britain, Russia, France and China have permanent seats on the council ; six other seats are filled by means of elections from among the Member States of the General Assembly.

This Council has the task of investigating all disputes and of trying to settle them by peaceful means ; to undertake economic or military action against the lawbreaker. A military staff, composed of the Chiefs of Staff of the U.S.A., Great Britain, Russia, France and China, is to act as the Council's advisory body. Contingents of the land, sea and air forces of the Member States are at the disposal of this Council.

3. The Economic and Social Council.

Its task is to overcome and eliminate the economic and social abuses produced by the war. The following organisations are available for the completion of these tasks :

- (a) The International Labour Organisation ;
- (b) The International Bank for Reconstruction ;
- (c) The International Monetary Fund ;
- (d) The United Nations Food and Agriculture Organisation ;
- (e) The International Civil Aviation Organisation.

4. *Trusteeship Council.*

This Council forms a sub-committee of the General Assembly, and consists of representatives of the "Big Five" and of other colonial Powers.

5. *International Court of Justice.*

This Court is to succeed the International Court of Arbitration in the Hague.

6. *The Secretariat.*

The Secretariat, which is to be headed by a Secretary-General, is to deal with the secretarial work of the Organisation. The Secretary-General is to be appointed by the General Assembly on the recommendation of the Security Council.

The Work of the United Nations Organisation.

The General Assembly has the task of bringing to the attention of the Security Council all situations likely to imperil international peace and security.

The General Assembly will hold regular annual meetings. In addition, special meetings can be convened if required.

Members of the Organisation agree to accept and execute the decisions of the Security Council. This Council is to function continuously and without interruption.

All Member States agree to put at the disposal of the Security Council armed forces, to be employed in maintaining international peace, order and security.

For the purpose of urgent military action to be undertaken by the Security Council, Member States are to hold in readiness national air force contingents, which are to be used in joint international action.

CHAPTER Two

ATTEMPTS—BUT NO ACTION

THE whole of the long period between the two world wars has been an endless series of disappointments to humanity. All hopes for a lasting peace were frustrated—simply because the League of Nations as created in 1919 was completely impotent in default of an international police which would have executed its decisions. The League consequently lost its prestige and authority, and often became a mere camouflage for ulterior motives on the part of aggressively-minded states.

The sad fact that problems were discussed and decisions recommended in innumerable commissions, sub-committees, delegations and departments without being backed by any actual power that would have enabled the League to make such decisions a reality, discredited the League with the smaller states and, on the other hand, encouraged certain great powers to pursue without hindrance their imperialistic and violent aims.

In 1918, after years of gigantic struggle, the whole of humanity was yearning for a peace that must be enduring and permanent and render impossible the repetition of such conflict.

Woodrow Wilson, the U.S. President, had formulated his Fourteen Points consisting of four Principles, four Aims and five Details which appeared equally attractive to friend and foe. When Wilson came to Paris after the war, he was extolled as an apostle of peace: he seemed to be the liberator of mankind.

Wilson's ideas found the ground prepared by a movement, created in America in 1915 by ex-President Taft, which was waging an unceasing struggle for peace. This organisation demanded the creation, immediately after the termination of the war, of a League of Nations that was to prevent all future wars. This League was to be empowered to decree sanctions in order to enforce the verdicts of a court of arbitration.

If this movement had prepared the ground in America, the European nations, too, did not prove unresponsive. But the professional politicians recognised a dangerous idealist in Wilson.

The French point of view was represented by Léon Bourgeois, France's delegate to the League of Nations. The French aim was peace based on security. Léon Bourgeois was therefore convinced that the League must

from the outset be endowed with sanctions, and advocated "international sanctions"—that is, an international police. He even made detailed proposals with regard to this international police: the creation of an international army and navy with a permanent General Staff.

The British Government created the so-called Phillimore Committee, a body of Foreign Office lawyers and experts who were to examine the principles on which to base the League of Nations. The report of this Committee rejected the creation of a European League with supra-national powers on the grounds that "international public opinion was not yet ripe for so radical a fusion of sovereignty." *

Meanwhile there arose opposition to the League idea in Washington as well. Thus the precious psychological moment was left unexploited, and with it there vanished for ever the prospect of obtaining an institution truly capable of guaranteeing a lasting peace. Lord Davies, commenting on this situation, wrote: "Thus the path to a permanent peace based upon justice was barred, because the element of force was omitted from the scheme. Nevertheless it was allowed to continue to exist outside the scope of the pooling arrangement."**

It was at this juncture that negotiations were opened in Paris which resulted in the creation of the League of Nations Commission that elected Wilson its President.

Various projects were submitted to the League of Nations Commission. The British and American delegates came with the Hurst-Miller Plan, the French with the draft by Léon Bourgeois, while the Italians presented a proposal by Orlando. The Hurst-Miller Plan*** made the following suggestions :

Should any Member of the League resort to war in disregard of its covenants . . . it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their

* The Phillimore Report proposed that the aggressor State is *ipso facto* at war with all other League States which agree jointly and severally to take all suitable measures of a military nature on sea and land as well as steps of a financial and economic character that would prevent a breach of treaty. Sanctions extend to the rupture of all trade and financial relations with subjects of the defaulting state, and to a prohibition for subjects of the League States to enter into relations with subjects of the defaulting state. In case of aggression against a non-member State all League members may succour the victim.

** Lord Davies : op. cit., p. 124.

*** Miller, "The Drafting of the Covenant," Vol. II., pp. 23-60.

nationals and the nationals of the covenant-breaking state, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking state and the nationals of any other State . . .

It shall be the duty of the Council . . . to recommend to the several Governments concerned what effective military or naval force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this article . . .

(Miller, *The Drafting of the Covenant*, p. 663.)

The Italian project proposed joint war by all loyal members of the League against the aggressor or law-breaker. It was, however, the Hurst-Miller Plan which formed the subject of subsequent deliberation, chiefly because its details were already worked out. Apart from economic sanctions it also provided for the use of armed force. The Hurst-Miller Plan, however, did not meet with French approval. The French demanded the establishment of a League of Nations General Staff in order to co-ordinate the quota contingents to a joint armed force, such force to exercise police functions and to enforce League decisions. Disarmament was to be effected only subsequent to the establishment of this international force.

But the French proposal failed, and thus the conference had to face public opinion without any concrete success to its credit.

The French raised the problem once more in plenary session, proposing “a permanent organisation for military action on sea and on land in order to enforce and render immediately effective the obligations imposed on all partners by this Covenant.” But once more a large majority rejected the motion.

The League of Nations thus faced the world, bearing all the blemishes of a negative approach. It is not too much to say that the League of Nations was ill conceived and no amount of subsequent attempts to cure its congenital debility could help. Many cures were attempted, but no action was taken.

At the plenary meeting of the League of Nations on September 4, 1924, Ramsay Macdonald, the British Prime Minister, asserted that the preservation of peace was dependent on arbitration, and that there was no obligation to participate in military alliances. The British Government was averse to

"militarized security." Mr. Macdonald told the Assembly: "We are interested in peace, and not in the creation of a defensive mechanism."

M. Herriot, on the other hand, based French League of Nations policy on the formula "arbitration, security, disarmament." He fully realised the crux of the matter when he spoke of "combining justice and force because arbitration alone was insufficient."

It was at this session of the Assembly that the "Protocol for the Pacific Settlement of International Disputes" was adopted.

Any State that in violation of this Protocol resorted to war was to be declared an aggressor. Once the League Council had established this fact the member States were to support the victim of aggression by means of sanctions against the aggressor. But a year later Sir Austin Chamberlain the British Foreign Minister, buried this Protocol. The world had lost another hope.

Neither did the Locarno Conference of 1925 mark any progress if regard to security. The same thing happened again and again. Embarrassment produced compromise proposals that were doomed to failure in advance. A British delegation once suggested a two years' truce during which no war was to be waged!

Only in February, 1932, when a fresh European conflict was already looming on the horizon, was a new effort undertaken. The then French Minister of War, Tardieu, submitted a project suggesting a "League of Nations Army." Civil aviation was to be internationalized, while bombing planes and heavy land and sea armaments were to be put at the disposal of the League for use against a possible aggressor. The attacked State was to be aided by an international expeditionary police corps. But this plan too, came to nothing, Tardieu being compelled to return to Paris shortly after submitting this proposal, because the French Government had fallen in the meantime.

A new plan was subsequently mooted by the French War Minister Paul Boncour, who represented Prime Minister Herriot. This plan also contained details of a proposed League of Nations Army. The new security organisation was to be based on three groupings: first, all States represented at a universal security conference; second, the members of the League of Nations; third, a smaller European bloc. These three groups were to form one united whole.

But this plan, too, failed, and so did another French proposal aiming at the establishment of an international air police. Léon Blum's subsequent efforts for the creation of a joint force also failed.

CHAPTER THREE

NO MORE GENEVA

SWISS neutrality dates back to 1515, when the battle of Marignano inflicted a serious defeat on the Swiss, gravely affecting their military position. This induced the Swiss, led by the great reformer, Zwingli, to keep out of future conflicts. The Swiss have ever since stuck to their resolve and persisted in an absolute neutrality.

At the Vienna Congress (March 20, 1815) Great Britain, Austria, France, Prussia, Portugal, Spain, Sweden and Russia signed an agreement recognising and guaranteeing the perpetual neutrality of Switzerland. Switzerland acceded to this declaration a week later; and Swiss neutrality was again recognised on November 20, 1815, in Paris in the presence of plenipotentiaries of all European Powers.

Since then the Swiss have remained neutral in all the wars that ravaged Europe—in 1870, when they manned their borders in protection of their neutrality, and similarly when war broke out in 1914. The Swiss Federal Council then informed all European States that Switzerland was going to defend the inviolability of its territory and its neutrality with all the means at its disposal. All Switzerland's neighbours, Germany, Austria-Hungary, Italy and France, took cognisance of this new declaration of absolute neutrality.

Swiss neutrality became topical once more when Switzerland's accession to the League of Nations was under discussion. The Federal Council held a plebiscite on the question as to whether the country was to join the League of Nations.

At its session in London, in February, 1920, the Council of the Allies also examined the question as to whether membership of the League of Nations was compatible with Swiss neutrality. The Council decided that Swiss neutrality was the tradition of many centuries, and had become part of international law. Swiss neutrality was a guarantee towards the preservation of peace in Europe. The Council then took note of a Swiss declaration in which Switzerland accepted membership of the League of Nations and recognised its obligations to take part in economic and financial sanctions decreed against a defaulting member State. Switzerland did not, however, recognise any obligation to take part in military action, to

permit the transit of foreign troops through federal territory or military preparations on Swiss soil.

The Swiss Federal Council accepted the statement that the permanent neutrality and guaranteed territorial integrity of Switzerland was an essential prerequisite for the preservation of peace in Europe, and therefore compatible with Swiss membership of the League of Nations.

There is no doubt that Switzerland's absolute neutrality was somewhat compromised by the country's willingness to take part in economic and financial sanctions. The Swiss population, endowed with a high measure of political awareness and acumen, sensed this dilution of absolute neutrality, and in the plebiscite approved of League membership by only a narrow majority—414,000 for, 327,000 against.

Let us not forget that thus the mere fact that the League was located in Switzerland, made it impossible to create a strong executive. Considerations of neutrality would have made it impossible to have such executive on Swiss soil. On the other hand, it was impossible to have it anywhere else, since the League would in any case have been obliged to issue its directions to the executive from its Swiss seat. This, however, would have violated Switzerland's undertaking not to permit military preparations on Federal territory.

Swiss neutrality once more became precarious when sanctions were enforced against Italy following the Italo-Abyssinian conflict. Switzerland was then in a difficult position. The Government complied with its obligations and applied financial sanctions as well as an embargo on the export of certain goods to Italy. The psychological difficulties arising from the fact that part of Switzerland consisted of Italian-speaking districts in which Government publications relating to sanctions had to be issued in Italian, may be mentioned here.

Switzerland argued that, while only goods of secondary importance were being sent to Italy, the loss to Switzerland resulting from the embargo was considerable, and might lead to a further increase in the large-scale unemployment then prevailing in the country.

During the Italo-Abyssinian conflict the Swiss Government decreed an embargo on the export of arms to both Italy and Abyssinia, an attitude based on the strict application of the Hague Neutrality Convention of 1907, but which was objected to by several Member States sympathising with Abyssinia.

These continual difficulties confirmed Swiss conviction that recurrent wars and even becoming entangled in war were contingencies that might

become inevitable. In addition, two great Powers, Germany and Italy, at that time left the League of Nations, thus putting a heavy and perhaps unbearable stress on the whole edifice of the League. The Swiss Federal Council, therefore, found itself in complete harmony with Swiss public opinion when it endeavoured to revert to the previous conception of absolute neutrality.

A declaration was issued on March 21, 1938—probably under the impression of Germany's occupation of Austria ten days before—affirming that Swiss independence and neutrality were an indispensable prerequisite for the preservation of the European balance of power. It was Switzerland's age-old task to guard Europe's Alpine passes, and any attack against Swiss territory would be a crime against International Law.

Swiss concern was understandable: the case of Austria had demonstrated how little the smaller states could rely on promises of "collective security."

Shortly afterwards the Swiss Federal Council requested the Secretary General of the League to place this question on the agenda of the League Council. The Swiss Federal Council stated that the Swiss people had accepted the obligations implicit in League of Nations membership "because they anticipated extensive disarmament, a concrete system of collective security, and the membership of all important states." Switzerland declared its willingness to continue collaboration with the League of Nations provided Swiss neutrality would not be jeopardized. Switzerland felt entitled to demand a formal recognition of neutrality.

On May 14, 1938, the League accepted this Swiss demand, China and Russia abstaining. The Council declared having taken note that Switzerland, because of its strict neutrality, would not participate in sanctions; but also, that no such request had been addressed to Switzerland. At the same time the Council took cognisance of Switzerland's desire not to modify its League membership, and of Swiss readiness to do everything possible to guarantee the free functioning of the League on Swiss Federal territory.

This attitude showed that Switzerland considered the system of collective security inadequate for the small states. Switzerland thereupon increased expenditure on armaments.

The fact that even in Geneva the League of Nations was not enjoying absolute independence is demonstrated by the Swiss attitude in regard to the wireless transmitting station placed at the disposal of the League of Nations for use in case of disorders. We read in Article 6 of the Conven-

tion between the Secretary General of the League of Nations and the Radio-Suisse Incorporated Wireless Telegraph and Telephone Company, Berne (Establishment and Operation in the neighbourhood of Geneva of a Wireless Station in the neighbourhood of Prangins, near Lyons, transmitting station and a receiving station in the neighbourhood of Colovrex near Geneva) :

“ The programme of operation of the short wave post shall be drawn up by the Secretary General after consultations with Radio-Suisse, in accordance with the provisions of Article 1 paragraph 1 of agreement between the Swiss Federal Council and the Secretary General of the League of Nations and with due reference to the provisions of the following paragraph of the present article.”

Before the third Sub-Committee of the 1928 Assembly, Federal Councillor Motta declared :

“ The establishment of a transmitting station confronted Switzerland with a delicate political problem. To a certain extent every country is responsible for what is happening in its territory, and this applies to a transmitting station just as much as to any other building coming under the territorial sovereignty of a state. . . . In times of disturbance things may be happening at that station which it might be of vital importance to Switzerland to know ; for this reason Switzerland has demanded and still demands the right, during times of crisis, to maintain in Geneva an observer attached to that transmitting station.”

Once again the delicate nature of Swiss neutrality in relation to a League decision was to become evident : in December, 1939, when Finland invoked the League of Nation’s help in connection with the Finnish-Russian frontier conflict. The Swiss Federal Government, in considerable agitation, appealed immediately to the Secretary General of the League, requesting him to restrict discussion to the Finnish request exclusively, as Swiss neutrality would not allow of large-scale deliberations of belligerent Powers on Swiss soil.

CHAPTER FOUR

THE NEW CHOICE—VIENNA

HISTORY has already established precedents as regards the selection of special districts as the seat of authorities and administrative bodies for the administration of a newly created federation of states.

When the North American Union was formed, the artificial "District of Columbia" was created which has ever since remained apart from the 48 states that form the United States of America. In this District of Columbia is situated the city of Washington in which the supreme Federal authorities of the U.S.A. are established. The inhabitants of the District of Columbia are, in fact, disfranchised, they cannot take part in Presidential Elections nor even elect their local government. There is merely a special Congress Committee for the District of Columbia charged with its administration. Recently, however, it seems that more extensive political rights are to be granted to the inhabitants of the District of Columbia.

In Australia, too, it was not found easy to select a capital for the newly-established Commonwealth of Australia. In the end the Commonwealth of Australia Act provided for the State of New South Wales to become the seat of the central government. The District of Canberra, covering 940 square miles, was finally chosen, to be administered for a period of three years by a Committee of Three.

Discussing the location of an international police force, Professor Rafael Erich, of Helsingfors University, in an essay entitled "War Obviated," demands that "the international police, or at any rate, a force adequate for probable requirements, be assembled and located in one country. It is obvious that this country must not be one of the great powers or one of political importance."

After the termination of the first world war, Sir Mark Sykes, in a House of Commons speech, gave his views on the international police.* Sir Mark Sykes wished the High Command of this police force to be located in Palestine. The League of Nations, he thought, should have at its disposal an instrument spread out throughout the world. This police force was to occupy the territory of the smaller states situated between Great Powers. One of these lines of occupation was to run from the Vosges to

* Lord Davies, *op. cit.*, p. 465.

the North Sea, connecting Alsace-Lorraine and Belgium. In this way the Germanic and Latin races would be separated. Another line of occupation was to run from Bulgaria and Rumania, *i.e.*, the Black Sea, to the Baltic, thus separating Teutons from Slavs.

In selecting a new territory the first geographical consideration must be a central position in Europe, in other words, a Central European territory must be chosen, equidistant from the four corners of Europe. From a political point of view the disadvantages arising from a pre-determined neutrality, as we have described them, must be avoided. International Police Headquarters and the garrison of its standing force must be established in a free and independent territory whose local administration—similar to the District of Columbia—must be placed under the protection of the “United States of Europe.” The United States of Europe must guarantee the neutrality of this new district, but it must be a neutrality so designed as to obviate in advance the impediments caused by Swiss neutrality.

One glance at the map shows that Austria and Vienna are most suitable to meet all these requirements.

From a geographical point of view, Austria forms the crossroads where the routes from Northern Europe, Scandinavia and Germany, leading to Italy and the Balkan Peninsula, intersect the highway to the West from the East and South-East of Europe. This applies equally to Vienna and its hinterland, the territory of the Austrian State.

Austria possesses not only an excellent strategic position but also tremendous potentialities for an International Police Air Force. The wide plains of Austria such as the Vienna Basin, the Tullner Feld, the Steinfeld, the Marchfeld, the Plains of Linz and the Burgenland offer ample opportunities for the construction of large modern airfields for the IP Air Force.

In addition, the country provides excellent training facilities for the IP Forces, since all kinds of natural features—wide plains, steep mountains, lakes, rapid and wide rivers—are all to be found there. The massive chain of the Alps, incidentally, provides absolute security for IP Headquarters from the heaviest of air attacks.

We may in this connection make a brief reference to the historical development of this area and its capital city, Vienna.

Both logic and history determined the formation of the former Austro-Hungarian State in this zone. In many long-drawn internal struggles which, however, constituted no danger to the outside world, this State had

managed to neutralise toxins which after its dissolution were released and have created that unhealthy atmosphere which poisoned and still poisons Europe.

There were also facts of nature, of geography, which led to Vienna becoming the focal point of all these States. Vienna was no artificial creation, but something that had grown naturally: this was proved by the fact that Vienna, after the destruction of Austro-Hungary, remained a spiritual and economic centre. It was astonishing how all attempts on the part of the successor states to render Vienna impotent and unattractive, remained failures. Thus, the attempt to replace Vienna by Prague did not succeed; neither did decrees shifting heavy industries away from Vienna, or measures hampering communications, succeed in weakening Vienna's economic capacity in the Central European space. Vienna not only maintained her position, but in the years following 1933, gained new strength. Tourists flocked there from all parts of the world.

Vienna also remained a centre of culture for the Central European space, and far beyond it. A curious synthesis of cultures had taken place in Vienna. In the old Austro-Hungary peoples from all parts of Central and Eastern Europe intermingled here and formed one family. The culture, music, arts of East, West, South and even the North combined to form that specific atmosphere of art and civilisation evoked by the very names of Vienna and Austria.

Vienna possessed a cosmopolitan atmosphere that even the German occupation could not entirely wipe out. The city thus offers the psychological conditions suitable for housing an international authority and the IP.

Neither will it be difficult to equip and provision the "Striking Force" to be stationed there, which is to form the nucleus of the future International Police with its various administrative offices. The country's agricultural production, including dairy-farming and cattle-raising, is already so extensive that if production is increased the country may well be self-sufficient in a short time.

Present circumstances, too, would strongly indicate Vienna and Austria as the seat of the IP. When Austria was annexed by Germany in 1938 the Austrian Civil Service was strongly diluted with German officials, and most of the purely Austrian administrative institutions were either dissolved or completely brought in line with German requirements. Whoever will take over the government of liberated Austria will have to start from scratch rebuilding the state's administrative organs and its civil service. German legislation, since 1938, will have to be scrapped and replaced by

victors. The others will have to furnish proof that they are able and willing to accept the discipline of this new organisation. Once these nations have proved by their acts that after a lapse of time they are able to administer their own affairs in conformity with the principles established by the new League of Nations, they will join the common front of those who guard and preserve peace.

Winston Churchill seemed to support the view that peace and its preservation are indivisible when he said on March 21, 1943 :

“ It would be our hope that the United Nations, headed by the three great victorious Powers, the British Commonwealth of Nations, the United States, and Soviet Russia, should immediately begin to confer upon the future world organisation, which is to be our safeguard against future wars.”

Field Marshal Jan Christian Smuts voiced the same idea when he said in an address to the United Kingdom branch of the Empire Parliamentary Association in December, 1943 :

“ Great Britain, the United States and Russia now form the trinity at the head of the United Nations, fighting the cause of humanity. And as it is in war, so will it have to be in peace. We shall have to see to it, that in the new international organization the leadership remains in the hands of this great trinity of Powers. These three must be responsible in the first instance for the maintenance of security and for the preservation of world peace, and this primary responsibility will not be affected by the duties resting on the rest of the United Nations. It was largely because in the League of Nations, as constituted after the last war, we did not recognize the importance of leadership and power that everything went wrong in the end. . . . ”

And President Roosevelt said in his 1943 Christmas Day broadcast :

“ The United Nations have no intention to enslave the German people. . . . Britain, Russia, China and the United States and their Allies represent more than three-quarters of the total population of the earth. As long as these four nations with great military power stick together in determination to keep the peace, there will be no possibility of an aggressor nation arising to start another world war. . . . ”

“ The doctrine that the strong shall dominate the weak is the doctrine of our enemies—and we reject it. But, at the same time, we are agreed that if force is necessary to keep international peace, international force will be applied—for as long as it may be necessary. . . . ”

CHAPTER SIX

SOME DEFINITIONS

BEFORE entering upon details concerning the International Police, it might help to consider a few problems of theory and definition. When operating with such terms as Force, Security, Sovereignty, Aggression, Disarmament, Sanctions, it is useful to agree on exact definitions in order to avoid misunderstanding. In addition, many terms hitherto employed in jurisprudence and International Law have undergone changes ; or else we shall have to change our views as to the nature of some of these concepts in order to utilise them for the purposes of an International Police Force. As regards sovereignty, for instance, traditional conceptions will have to be altered. Even those states that wish to cling to the old idea of sovereignty and consider any diminution of it intolerable, will have to seek new paths. The prize in view is so great that no stake can be too high.

Aggression, too, is a term whose definition must now be agreed upon ; for it constitutes the very basis for any action of the International Police. If these two main questions are solved, the remainder presents no difficulty.

Force.

Force is any use of strength which compels an individual or a community to submit to the will of another. There are two kinds of Force. Spiritual Force aims at exerting power and influencing the will of others through ideas and propaganda and through political and religious mass movements. Spiritual Force is often identical with moral pressure, causing and compelling individuals and communities to act in a certain way.

Violence, on the other hand, consists in acts of physical compulsion. Pressure is exerted by means of some physical act, such as the segregation of an individual from the community (imprisonment). Violence--physical force--ranges from minor acts of compulsion to the total destruction of its object.

Spiritual Force may, on the whole, be freely exerted in a civilised community, unless such Force aims at immoral or prohibited ends. This kind of Force, to be lawful, must thus aim at permissible goals and must not violate the principles of morality. Unethical pressure such as threats, menaces and undue coercion are inadmissible.

Physical Force may be employed only within the limits established by

civil and penal law. Illicit violence, under civil law, gives rise to a claim for damages, while under penal law penalties are incurred.

This applies not only to the individual, but also to the state. In using physical force, the state, too, is bound by law.

There is one kind of force that serves the law. It compels the individual in the interests of the community to obey the moral principles embodied in the law. Force has become a servant of the state, helping to maintain law and order in public life, to combat crime and illicit aggression and to protect the individual. This kind of force creates that security which is indispensable for human progress.

The right to use force under the law constitutes the power of the state. In a state built on the principle of law the legislative and executive functions are separated, and force can be applied only if based on laws approved by the nation. These laws must conform to the rights of man as recognised by all civilised nations. If these powers are exceeded a civilised state uses special courts of high authority to denounce and punish such transgression.

In a civilised state the police and the law courts, as well as certain administrative authorities, are empowered to use force in conformity with existing laws.

But complete anarchy and lawlessness still reign supreme in international relations. Innumerable attempts have been made to eliminate force as a factor of international relations ; but they have all remained ineffective. The nations have always resorted to violence, to war, as the final arbitrament of their disputes.

Some schools of thought reject the use of force in all circumstances, even as regards enforcing the law of the land. It is held that the use of force is not justified even in combating lawless behaviour and aggression. But history and experience have taught us that such views are erroneous.

Life—for the individual and for the community—is one ceaseless fight against disturbances of order, tranquillity and security. The law cannot exist without force ; it is only the power of the state manifested in terms of force that provides protection for the individual and the community.

The power of the state in relation to the use of force finds its primary expression in the police. Lord Davies (op.cit. p. 346) writes : “ In all civilised communities the right use of force within the confines of each state is strictly limited to the police function.”

In international life the use of force is still devoid of any basis of law : it is manifested only as war and not, as in the life of a nation, as the strong

power making for order and security. The creation of an International Police aims at precisely this transformation of lawless violence into a force serving lawful and ethical aims. In the international field, too, the proper use of force is to employ it for police purposes.

Security.

Security is a state of things in which a danger or a threat to objects, individuals or communities has been removed. There is internal security, guaranteed to the citizens by the power of the state embodied in the police; and external security, a condition which a state achieves either by virtue of its own defensive military potential or through alliances and treaties with other nations. Collective security as practised between 1919 and 1938 consisted of guarantees given by various states for the defence against aggression of one or more nations.

After the first world war repeated attempts were made to achieve security by means of a balance of power and enormous armaments. These attempts have failed. A balance of power proved impossible in default of a strong authority: the League of Nations was too weak to form or exert its collective will. Recalcitrant Powers simply left an organisation that hampered their expansion, and thereby upset the balance. The weakness of a League of Nations devoid of executive power led to an armaments race that was bound to end in an explosion.

People everywhere made great financial sacrifices in order to achieve security. Their hopes were disappointed and their sacrifices were made in vain.

Real security can only be achieved on the basis of mutual concessions, international law and the restriction of force to its proper function, police work. In the same way as the private taxpayer makes his contribution in exchange for state-guaranteed security of life and property, each state must make its contribution to a higher organisation which will guarantee security from aggression. These contributions will have to stay within certain limits.

Inter-state security will strengthen the nations economically, and enable them to increase their contribution for security purposes, since security encourages normal production. The bank rate then has a downward tendency. Striking proof of this is furnished by the economic development of the United States of America since their federation. Ever since federation has banished the spectre of insecurity, prosperity has risen sharply.

Sovereignty.

Sovereignty is superiority. He who has the right or the power to demand obedience to his commands has sovereign status.

A person or a state may be sovereign. Personal sovereignty is held by rulers such as kings and emperors ; the sovereign state, on the other hand, by virtue of its authority demands loyalty and obedience of its citizens. Applied to the state, sovereignty has yet another content : independence of all other commonwealths.

International law distinguishes several kinds of sovereignty. Sovereignty in general denotes the supreme authority of the state in regard to its domestic affairs, and also its independence. Member States of a federation frequently lack this independence, since they are subject to the supreme authority of the whole of the federation, a condition often described as suzerainty.

Sovereignty also specifically denotes the complete independence of a State in regard to all others.

De jure sovereignty pertains to an authority entitled by law to exact obedience.

De facto sovereignty describes an actual state of things that enables some authority, whether lawful or not, to demand and enforce obedience.

Complete sovereignty is said to exist when a person or a state disposes of both *de jure* and *de facto* sovereignty, thus combining a legal title with the power to enforce it.

Various theories have been evolved with regard to sovereignty. Some assert that sovereignty rests with the king and parliament, while other maintain that sovereignty is vested in the king, parliament and the electorate. The development of the idea of sovereignty derives from Jean Bodin and Thomas Hobbes, both of whom attempted to clarify sovereignty in their desire to meet the fervent wishes of a society torn by civil war and revolution. They both declared that sovereignty is vested in the monarch. Rousseau, on the other hand, the opponent of absolutism, maintained that sovereignty emanates from the people which must not permanently be deprived of it.

Modern theory holds that sovereignty emanates from the people and is wielded on its behalf. Sovereignty, therefore, is no longer absolute : it is always dependent on laws, constitutions and other guarantees. Those who exercise sovereignty have been charged with the task by their peoples. This may have been done voluntarily, because there was no other solution but to place sovereignty in the hands of those entrusted with its exercise.

It was Thomas Hobbes who formulated this transfer theory, and evolved the doctrine of a contract. The people confers sovereignty by contract, and in exchange is entitled to demand protection. According to Hobbes, the individual citizens have combined their innate individual sovereign rights and resolved to appoint a ruler who is to give everyone his due. After such transfer of sovereignty the citizens live in an orderly community, and the power of the ruler must prevent disorder and further the ends of justice.

As regards national sovereignty we find an interesting attempt to reconcile it with the obligations arising from League of Nations membership in a publication of the Royal Institute of International Affairs,* which states :

“ Signature of the Covenant and of the Pact of Paris has entailed a modification of the jealously guarded traditional conceptions of national sovereignty. National sovereignty is not, however, generally regarded as an insuperable or even a serious obstacle to agreement upon the institution of sanctions. But each state preserves the right to decide for itself whether the conditions which render necessary the execution of its obligations under Article 16 have been fulfilled. In this case the execution of those obligations rests with each State and not as a result of a League decision imposed upon it.

“ Further, certain legislation may be necessary before it can put into operation on its own territory some of the measures recommended by the League.”

Opponents of the IP scheme, however, still object to it on the grounds that the establishment of an International Police Force would infringe sovereignty.

This objection is refuted by the argument that all international conventions, treaties and trade agreements result in some restriction of unlimited sovereignty, as, *e.g.*, in the case of export or import contingents, most-favoured nation clauses, etc. Each of the contracting parties to an international agreement undertakes to do or not to do something, thus restricting its theoretically unlimited freedom of action by mutual agreement. But can this be described as an infringement of sovereignty?

All nations will voluntarily join the United Nations of Europe under a Covenant concluded in the interests of peace and the abolition of the horrors of war. The free and voluntary accession to such Covenant would

* Information Department Papers No. 17, 1935, p. 51.

be an act of complete sovereignty. Sovereignty remains inviolate, though voluntarily submitting to certain contractual obligations. Let us not forget that *all* European states will equally subscribe to the Covenant and the obligations it imposes, declaring their adherence to a great and noble ideal. Where all states assume the same obligations it can hardly be a case of infringed sovereignty.

The conception of unlimited national sovereignty ought to be put aside, to be replaced by the new idea of international sovereignty. Only in this way can continual conflicts be obviated ; only thus can humanity be freed of the nightmare of war and misery ; only thus can science, research and progress achieve their full flowering for the benefit of all mankind. To establish the rule of law over all nations is the great boon that adherence to the Covenant will confer on all its signatories. This ought to be the new and final conception of sovereignty.

Aggression.

What is aggression ? Who is the aggressor ? These questions have occupied statesmen, lawyers and philosophers since earliest times.

The Romans had their *fetiales*, a college of 20 priests, who were consulted as to whether the legions of Rome should be mobilised. The priests examined the question, deciding that a just war could be waged if—

- (1) Roman territory had been violated ; or
- (2) Roman ambassadors had been insulted ; or
- (3) a treaty had been broken ; or
- (4) a formerly friendly state had supported an enemy at war with Rome.

War, however, was recommended by these priests only when the prospective enemy refused to give satisfaction.

The "just cause" is also the only basis on which the great Dutch lawyer, Hugo Grotius, approves of war. "A just cause of war can only arise from some injury." There are only three kinds of just war, corresponding to the causes of action in a law suit : self-defence, recovery of property, punishment for wrongdoing.

Thus Grotius clearly defines the "just cause" and the aggressor. But the only resort he knows is not assistance offered by allies or neighbours, but war.

The Abbé Saint Pierre mentions the following cases of aggression : sudden attack by an enemy ; and refusal to submit to the League statute or the verdict of the Senate.

The League of Nations founded in 1919 took great pains to arrive at a definition of the term "aggressor." But years of painstaking work remained unavailing. Only in Article 16 of the Covenant in conjunction with Articles 12, 13 and 15, has an attempt been made to determine aggression. Saint Pierre's definitions are closely followed here.

An implied definition of aggression may be found in Articles 1 and 4 of the Draft Treaty of Mutual Assistance, where it is laid down that

A war shall not be considered as a war of aggression if waged by a state which is party to a dispute and has accepted the unanimous recommendation of the Council, the verdict of the Permanent Court of International Justice, or an arbitral award against a High Contracting Party which has not accepted it, provided, however, that the first state does not intend to violate the political independence or the territorial integrity of the High Contracting Party. . . . The Council of the League of Nations shall decide . . . which of the High Contracting Parties are the objects of aggression.

This, however, constitutes a "negative" definition. The final and imperative clarification is here deferred and delayed, depending on the extremely unlikely contingency of a unanimous Council decision.

A more fruitful approach was made in the 1924 Protocol for the Pacific Settlement of International Disputes. The 1924 Protocol defines the following cases of aggression:

- (1) Refusal to submit a dispute to peaceful arbitration.
- (2) Refusal to carry out the decision of a court of arbitration.
- (3) Violation of an armistice.

A further clarification was attempted in the Locarno Pact. Appendix A. of the final Protocol of October 16, 1925, lays down in Article 4, para. 3, that "flagrant violation" is constituted by a declaration of war by Germany, Belgium or France, in contravention of Article 2 of the Treaty. Another flagrant breach of this article would be occupation of the de-militarised zone created by Articles 42 and 43 of the Treaty of Versailles, with the same consequences as the "flagrant violation" of Article 2.

As soon as the League Council has established that the Pact or Articles 42 or 43 of the Treaty of Versailles have been infringed or violated, the signatory Powers are informed accordingly, and will then come to the aid of the state against which the incriminated act has been committed. Should one partner to the Pact commit a flagrant violation of the above articles, the others undertake to aid the injured party, provided that proof is offered

that the violation amounts to unprovoked attack, and that immediate action is required because the border has been crossed, hostilities have begun or armed forces are being massed in the de-militarised zone.

At the fifth Assembly of the League the French Premier declared : " In future the party that rejects arbitration will be considered the aggressor."

Nevertheless, no authoritative definition of the terms " aggressor " and " aggression " was achieved during the lifetime of the League of Nations.

The way in which the Armenian question was dealt with is interesting. Sir Henry Wilson relates in his diary that " Lloyd George said it had been decided that none of the three Powers was going to send a single battalion to Armenia ; it had been decided to give arms to the Armenians and leave it to them to settle matters with the Turks. If their cause were just, and they were strong enough, they would win ; if not, it was not worth while to save them."

In order to have an objective criterion as to who was the aggressor and who the attacked, a number of neutral and demilitarised zones were subsequently created : the Rhine zone, bordering on Holland, Belgium, Germany and France ; the Dardanelles, the Bosphorus, the Marmara Islands and the Turkish Islands in the Ægean ; and the Maritza zone bordering on Turkey, Bulgaria and Greece. These zones were wide enough to enable neutral observers immediately to establish the aggressor.

The Kellog Pact.

The Kellog Pact proposed to outlaw war by restricting the use of force to defensive purposes only. The nations willing to adhere to this plan were to renounce wars of aggression. The nations of America have renounced this right and requested the other States to do the same. Many such promises were indeed made.

The League of Nations Covenant contained no reference to penalties for aggression, except the Protocol providing that the aggressor States must compensate the League of Nations for all costs caused by it.

When the Russo-Finnish conflict broke out in 1939, Finland appealed to the League of Nations. Russia, however, stayed away from the subsequent proceedings. Thereupon note was taken that Russia, being the aggressor, had severed its connection with the League of Nations and was no longer a member. No further sanctions were resolved.

Neither, as we have seen, did the Dumbarton Oaks Conference of the " Big Five," arrive at any definition of aggression. The Conference report states :

" There is no attempt in the agreement being disclosed to-day to rely on agreed definitions of what constitutes aggression as a basis for action.

" On the contrary, the language used in defining the purpose of the new League is in broad terms with the object of assuring that the Security Council can deal with any act that might again disturb the peace of the world.

" For example, the agreement does not merely empower the Council to deal with acts of aggression, but specifically says it must also deal with the removal of threats to peace, the suppression of acts of aggression, and bring about peaceful adjustments of disputes which may lead to a breach of peace."

Aggression was also mentioned when M. Stalin, in his address to the Moscow Soviet on November 6, 1944, in commemoration of the 27th Anniversary of the Russian Revolution, described Japan as an aggressor. He said that

" the loss of the Philippines, Singapore and other Pacific places was due to the fact that Japan, as an aggressor nation, proved to be more prepared for war than Great Britain and the United States. Similarly, the Russians lost the Ukraine, White Russia and the Baltic regions in the first year of the German attack because Germany was better prepared than the Soviet Union."

Stalin went on :

" It would be naive to explain Allied losses by the personal characteristics of Japan or Germany, by their superiority over the British, the Americans and the Russians, by their foresightedness. It is not a question of personal qualities. The explanation is that the aggressive nations had accumulated great reserves of strength.

" . . . History has shown that aggressive nations are always better prepared than peace-loving nations. Germany had her army already mobilised and ready for battle. This was also the case with Japan."

According to this view an aggressor is therefore a nation better prepared for war than the " peace-loving nations " which always suffer initial defeat.

Disarmament.

In the war against war the question of disarmament has always played an important part. There are two kinds of disarmament, advocated by various schools of thought. One is relative or negative disarmament,

which aims at reducing armies and navies to a smaller size ; what is aimed at is an all-round *reduction* of armaments.

Positive or absolute disarmament, on the other hand, aims at the complete *abolition* of armaments. Advocates of this school thus demand that all nations disarm completely, and that only an international police force be entitled to retain weapons and armaments.

Thus H. N. Brailsford ("Olives of Endless Age," p. 387) writes :

"Disarmament cannot be treated as an isolated and technical matter. It is conceivable only when the Great Powers sincerely face the prospect that the only wars in which they can be concerned are those which the whole society of civilised peoples may have to conduct for the common defence against an aggressor who has refused to submit to the world's verdict on his case. When we reach this point, we shall not disarm. We shall arm co-operatively to meet a common peril."

The same author observes (p. 378) :

"There is no hope of anything more than temporary truces and modest reductions, imposed for a time by the general poverty, until we advance from the competitive to the co-operative form of armaments."

Writing on the armaments race in recent generations, Prof. P. J. Noel Baker says in his book on "Disarmament" (p. 4) :

"What is most remarkable about the growth in military preparation is the rapid increase in its rate as the catastrophe of 1914 came near. At the end of the century the speed is increased : in the ten years from 1898 to 1908 all the Great Powers among them increased their military and naval budgets by about £100 million—£10 million a year. For the next six years, from 1908 to 1914, the six Great Powers of Europe alone increase their budgets by more than £100 million a year."

The second world war has demonstrated that humanity was not yet sufficiently mature morally to achieve true disarmament. The abortive disarmament conferences following the last war were soon forgotten and an armaments race commenced which reached incredible heights in 1939. This armaments race led to the invention and use of new weapons which, however, always turned to the detriment of their inventors. This applies to acoustic and magnetic mines as well as to the "flying bomb." It was on June 12, 1944, that the Germans began to bomb London with their V1, and already on October 23, 1944, it was reported that eight factories in America, including the Ford Motor Company, had started the production of 2,000 Flying Bombs. A new weapon thus fulfils its function only until

such time as the opponent is able to imitate it. Then a fresh competition begins, and a weapon designed for assuring superiority (and thereby security) becomes a threat to its original inventor.

The German Professor Haber realised this during the last war. He had invented a devastating poison gas (*Gelbkreuz*), but warned General Ludendorff, the German Chief of Staff, not to use it unless he were fully convinced that the war would be over within a year. Haber knew that after this period the enemy would be able to produce this weapon himself. But Ludendorff rejected Haber's advice and accepted the risk.

Disarmament had already figured among President Wilson's Fourteen Points. Point 4 provided for the reduction of armaments to the level demanded by the maintenance of internal security and, if necessary, for the joint preservation of international order.

A naval armaments race affecting all the Great Powers culminated shortly before this war.

In a House of Commons debate on February 19, 1924, Sir Samuel Hoare said that "a country like ours cannot afford to remain in so vulnerable a position . . . we must build an air force adequate for the defence of our coasts against any possible air attack." At that time France had established an air force programme that was considered a menace by some circles in Britain.

To cope with this frenzied competition the League of Nations in Geneva appointed Disarmament Commissions—which had nothing to show but an unending chain of failures.

In 1926, a Commission for preparing the first Conference for the reduction of armaments (Disarmament Conference) was appointed. The Commission began its work by dealing with a questionnaire drawn up by the League Council. One of its questions asked what was to be understood by "armaments" and "disarmament"; which weapons had an aggressive or a defensive character; how the armaments of various nations could be compared; and what was the military value of such bodies as police forces, gendarmes, frontier guards, customs officers, etc.

No agreement was arrived at despite industrious work by the preparatory Commission. A mass of material was gathered, but divergence of opinion was so great that no consensus was reached.

The final aim of the Disarmament Conference—to induce all governments in the interests of permanent peace to renounce the full exercise of military sovereignty—was not even reached. Neither did the Disarmament Section of the League Secretariat have any success.

In Article 8 of the Covenant the League members "recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations." Plans for such reduction are to be formulated subject to revision at least every ten years.

Ever since the beginning of the present century armaments expenditure has been steadily rising, reaching dizzy heights during the years immediately preceding the two world wars. In the years 1908 to 1913 the nations of Europe spent some £9,000 million on armaments. And in 1939, the Peace Treaties of 1919 and various subsequent disarmament conferences notwithstanding, Europe was spending on its rearmament much more than in 1913. Again and again the nations denounced and abjured war and undertook to disarm: yet armaments expenditure kept rising.

Here are some figures :*

Great Britain

Direct national expenditure in 1936 (being twice the amount of 1932)	..	..	..	..	\$846,900,000
1937	..	..	..	..	\$1,350,000,000

France

Army, 1937	..	..	..	..	Fr. 10,900,000,000
1938	..	..	..	..	Fr. 13,000,000,000
Air Force, 1937	..	..	..	..	Fr. 5,000,000,000
Navy, 1928	..	..	..	..	Fr. 2,000,000,000
" 1936	..	..	..	..	Fr. 3,000,000,000
" 1937	..	..	..	..	Fr. 4,500,000,000
National Defence Budget (Army, Navy, Air Force) ..					\$680,000,000

Germany

Detailed figures were unobtainable. The fact, however, that a state supposed to have been disarmed in 1937 had a National Defence Budget of \$2,600,000,000 requires no comment.

Italy

Army, 1937	..	..	..	..	Lire 2,337,566,946
" 1938	..	..	..	..	Lire 2,512,566,946

* From "The Caissons Roll—A Military Survey of Europe," by Handson W. Baldwin, Military and Naval Correspondent of the *New York Times*.

Navy, 1938	..	..	..	Lire 2,050,814,000
(An increase of almost Lire 441,000,000 as against 1937).				
Air Force, 1938	..	..	..	Lire 1,019,330,000
(An increase of Lire 283,000,000 as against 1937).				

National Defence Budget, 1937 \$295,883,700

All disarmament plans aimed at a relative reduction of individual military strength : they therefore did not preclude war absolutely, and were thus pregnant with future catastrophe.

History has taught us that disarmament is not practicable unless there is complete disarmament coupled with adequate supervision (to be exercised by means of liaison officers and military attachés).

As regards post-war disarmament, detailed proposals have been reported in the British press. An Economic Control Committee (of which Sir Percy Mills, a Midland industrialist, is to be a member) is to realise these plans. An Allied Commission of Control will see to it that Germany's heavy industry, especially in the Ruhr, is completely dismantled. All German industries are to be subjected to long-term control, and the former German export trade is to be taken over by the Allies. Each German frontier station and port will have Allied officers in control charged with excluding all imports suitable for possible rearmament. Quotas will be established for such imports as oil, rubber, copper, nitrates, bauxite, nickel and fats. The whole of the German transport system, including sea-going and coastal shipping, as well as inland waterways, is to be subjected to strict control.

Sanctions.

A sanction is the name which legal writers give to measures for securing obedience to law.

Sanctions were already known to ancient Roman Law. They were that part of the law which provided for a penalty for certain kinds of misbehaviour or infractions of law.

After the fall of Rome the world largely relapsed into a lawless condition, and only gradually was there recognised the necessity for an organised force entitled to apply sanctions. Law courts were appointed, and only then were laws codified and the courts endowed with the power of sanctions. The most primitive form of sanction was left to the community as a whole : it was outlawry. For a long time another primitive sanction, trial by single combat, was maintained side by side with the verdicts of royal courts based on common and statute law with definite sanctions.

The penal codes of most European states enumerate not only the characteristics of every punishable offence but also in each case the appropriate sanction.

A law without sanction would not be respected and would remain mere theory. Thomas Hobbes observes : " We must therefore provide for our security, not by compacts, but by punishments." (On Dominion, 6.)

It was only after the last war that the idea of sanctions was recognised in international law. Sanctions have repeatedly formed the subject of League of Nations deliberations. It was generally admitted that the application of sanctions in the international sphere must correspond to police action as employed internally. In Information Department Papers No. 17, dealing with the character and application of international sanctions, we read under the heading " Police Action " (p. 5) :

" Besides its function of dealing with crime that has actually been committed or violent disputes which have actually broken out, police action may be preventive. This in no way implies that the police themselves possess powers to punish the criminal or to settle disputes that may arise. If they were to arrogate to themselves such functions, they would, from the legal point of view, be regarded as partisans. The authority and strength of police action derives from its impartiality, from its direction against all disturbers of the peace alike and from the assurance that it affords that justice and right shall prevail and not mere material strength."

The Abbé of Saint Pierre proposed that as a sanction against a war of aggression all League members, at the instance of the Senate, were to wage war against the recalcitrant State. The latter must bear all war costs and renounce for ever the territory wrested from it.

Jean-Jacques Rousseau in his treatise on Saint Pierre's " Projet de Paix Perpetuelle " refers to sanctions, postulating

" a compelling authority to co-ordinate and harmonize the action of its members in order to invest common interests and present obligations with a stability that they must lack if left alone . . . This suffices to indicate that such a league would not consist in idle deliberations, to be resisted with impunity, but that an actual authority would be created, sufficiently powerful to compel the ambitious to respect the common covenant."

As compared with these ideas, Article 16 of the League of Nations Covenant would appear to represent a retrograde development. It reads :

“ 1. Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking state, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking state and the nationals of any other state, whether a Member of the League or not.

“ 2. It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

“ 3. The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking state, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

“ 4. Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council concurred in by the Representatives of all the other Members of the League represented thereon.”

Sanctions thus described in Article 16 of the Covenant consisted of financial and commercial as well as military measures. But no definite procedure was ever agreed upon. Financial and economic sanction, remained doomed to impotence in default of an armed force able to blockade an aggressor. Only on the basis of prior all-round disarmament would this kind of sanction have had any success.

Military sanctions were kept quite vague. The League members merely agreed to accept recommendations as to what specific steps each state was to take in the event of war. But these suggestions had to be resolved unanimously, or each member was left completely to its own devices. Even in the case of unanimity—a highly hypothetical contingency—each state was free to carry out or reject these recommendations at will.

No provision whatsoever was made for concerted action by all Member States. It is therefore not surprising that Article 16 did not constitute a deterrent to the aggressor.

Professor Gilbert Murray remarked that the real weakness of Article 16 did not lie in being too drastic but in requiring for its application a highly improbable measure of self-denial on the part of fourteen unanimous governments.

CHAPTER SEVEN

THE POLICE

THE word "Police" derives from the Greek *πολιτία*, denoting originally "Constitution" and later the art of government in general. The word subsequently underwent a change of meaning and was applied to the power wielded by the state. Gradually the term was defined as denoting the authority of the state in its manifestation towards the public, and finally applied to the organs and officials exercising such authority.

Until the XVII century the whole of state administration was covered by the term "Police," but then the word was delimited in its application. While the administration of justice, the armed forces and foreign policy were separated, the term "Police" was restricted to internal administration, with the stress on the security aspect.

Proper police organisation dates from that period. The XVIII century saw the development of the Police State, as epitomised in its extreme representatives, Fouché and Metternich. It is not only security that is described as the aim of the police force, but the entire sphere of the common weal. In pursuance of this aim the Police State resorted to political supervision and persecution, violating the rights of the individual and thus generating intense revolutionary counter-pressure which, in turn, was relentlessly and by all means combated in the interests of public order, quiet and security.

Local police forces were at first vested in the cities or with the landed gentry, and only gradually was this power transferred to the State.

In Britain, too, a comprehensive police force gradually developed out of the local, municipal and rural constabularies, night watchmen and "Bow Street Runners." The first modern police force was established in Dublin in 1787 when for the first time pay was granted to constables. In London, Sir Robert Peel organised a modern police force in 1823.

Thus in Britain as on the Continent the function of the police was clarified and centralised, and a conception of law enforcement, i.e., internal "sanctions," established. A modern police force has a threefold task: protection of life, property and public security. Police organisation is accordingly shaped for the fulfilment of three main duties.

As a security organisation, the police has to take every precaution for the safeguarding of human life. All dangers to the person must be averted, and all acts constituting such danger must be prosecuted. All attempts on the life, health and physical well-being of the citizen are punishable under laws ranging from sanctions for murder to the prevention of noise, the control of poisons to regulations and by-laws on safety devices in theatres and cinemas. Legislation protecting life has in recent times been extended even to animals and plants. The police is charged with the enforcement of these laws and with setting in motion the machinery of sanctions in case of infraction.

Protecting property is another police task. Anything endangering property must be prosecuted and averted: thus, not only must acts of robbery, theft, or arson be prosecuted and their perpetrators traced and apprehended, but the police must also take care, by prevention such as surveillance of known criminals or by patrolling and guard duty, that the chances of law-breaking are reduced to a minimum.

The third task of the police is to safeguard the quiet and peaceful conduct of public life, the stability of public institutions, the constitution and the existing social structure. Here, too, the duty of the police is not only to prosecute the law-breaker but to exert a preventive influence through supervision of anti-social, destructive and revolutionary persons and organisations.

The first two tasks, those of protecting the person and property, are entrusted to the Criminal Investigation Department (*Kriminalpolizei*, *Police judiciaire*), while the security of the state and of public life is protected by the State Police ("Special Branch," *Staatspolizei*). In addition to these two branches of police organisation there is an Administrative Branch, empowered to issue licences, passports, etc.

All these branches rely on the uniformed police (constabulary) as the physical enforcement agency.

Recent developments in totalitarian states have, however, done grave damage to the conception of the police as representatives of protective justice because of the ruthless stress laid on the political branch of police work. The dictatorships have separated the State Police from the remainder of the police organisation and have transformed it into an independent authority, subject to no law or procedure, and using methods that have made organisations such as the German Secret Police (GeStaPo = *Geheime Staats-Polizei*) or the Italian OVRA objects of loathing and terror. It is entirely misleading to describe these bodies as "Police," since they were

not charged with administering laws made in a constitutional manner, but were functioning in a lawless vacuum, on the instructions of a single party, and were instruments of political terrorism pure and simple.

In a civilized state based on the rule of law the division of the power of "internal sanction" as indicated above, forms the basic pre-requisite for that stability of life which is indispensable for the unhampered development of human progress. When this division of functions is in operation it increases the confidence of the people in the state; similarly a properly administered and specialized international police will increase mutual international confidence.

In a civilized state the police can operate only on the basis of respect for the law and the fundamental rights of man. These culminate in such principles as the postulate that nobody may be denied justice, and that the police may only resort to brief and limited deprivations of liberty, whilst a court of law must authorize protracted detention.

Even a police force of this description will have to resort to force: but it must be employed in conformity with laws based on the universally recognised rights of the individual. Then, Lord Davies's assertion that "the proper use of force is the police function" will not be an empty phrase.

CHAPTER EIGHT

THE INTERNATIONAL POLICE

THE International Police—also called “Supra-National Police—is a force operating on several territories, or one whose command and effectives are composed on an international basis.

According to its tasks, the IP will have two major branches: the International Police charged with maintaining world security, and the International Crime Prevention and Investigation Department.

The International Police in its wider application is charged with the maintenance of peace and order in the international political sphere. It is the executive of a Federation of States which has entrusted these tasks to a joint security organisation.)

We have seen to what extent this idea gained ground after the first world war, following President Wilson's call for international solidarity. Even in Central Europe, that hotbed of nationalism, international organisations such as League of Nations Societies, religious and political bodies, rejected traditional chauvinism with its terrible consequences and propagated the idea of international amity and collaboration. After four years of war-time isolation there was a widespread yearning for closer international relations, a tendency that remained not without influence on the conduct of foreign policy.

A League of Nations Executive was to form the powerful authority and, if necessary, the strong arm with which the gathering of Geneva was to be endowed. For many years that kind of police force was debated in innumerable discussions and projects. But the efforts of a League of Nations devoid of real power were doomed to failure.

How strongly the need for an International Police was felt is evident from many sources. Among them, we may quote Information Department Paper 17 (1935), which complains:

“ In the international sphere there is no permanent, impartial and international police force to suppress disorder, prevent law-breaking and compel submission and obedience to law.

This is a perfect description of the scope and duties of the International Police. The same report outlines a corresponding proposal adopted by

the League Council (yet never made a practical proposition) as follows (p. 4):

“ If the circumstances of the case called for military action in defence of the victim of the aggression or against the territory of the aggression, the League Council recommend the employment of :—

- (i) A permanent International Police Force,
- (ii) An international Force consisting of contingents from states members of the League,
- (iii) National forces operating directly under the authority of the League or indirectly with League authority in accordance with treaties which are interdependent with the League Covenant.

That the proposal, for reasons which we shall refrain from examining, was allowed to remain pure theory, is noted regretfully in the same report (p. 45) :

“ The establishment of a permanent International Police Force voluntarily enlisted under League authority to prevent individual action in disregard of the League Covenant and to enforce the League’s decisions has, admittedly, not yet reached the point of practical application. For the purposes of the present report, therefore, whatever the merits of the proposal may be, it requires no detailed consideration.”

Consequently, the Report’s excellent definition of the powers of the International Police Force was never given practical application—though it may well serve to clarify and delimit IP authority in time to come. This definition reads as follows (p. 5) :

“ Besides its function of dealing with crime that has actually been committed or violent disputes which have actually broken out, police action may be preventive. This in no way implies that the police themselves possess powers to punish the criminal or to settle disputes that may arise. If they were to arrogate to themselves such functions, they would, from the legal point of view, be regarded as partisans. The authority and strength of police action derives from its impartiality from its direction against all disturbers of the peace alike, and from the assurance that it affords that justice and right shall prevail and not mere material strength.”

On one occasion, however, the conception of an International Police Force was given practical application, and proved a resounding success. This was when an International Police Force was established in the Saar

Region of 1935 prior to the plebiscite held there which was to determine whether the Saarland was to return to Germany or to become part of France.

On that occasion a Government Commission, composed of representatives of several countries and headed by an Englishman, Sir Geoffrey Knox, was in charge of an international volunteer police force. It comprised Norwegians, Saarlanders, Luxemburgers, Frenchmen, Swiss, Netherlanders, Czechoslovaks and some German refugees in all its ranks. French was the official language. This nucleus force was reinforced, immediately before the plebiscite, by one Dutch, one Swedish, two British and two Italian regiments, which were held in reserve but could be requested by the Head of the Polling Commission to assist the International Police.

Experiments made were extremely satisfactory ; there was no friction, public order and safety were assured, and the population was full of praise. It may be one of history's little ironies that the one occasion on which the experiment of an International Police Force was tried with conspicuous success should have been another German expansion, but the practical value of the IP has been proved.

CHAPTER NINE

BUILDING WORLD SECURITY

THE IP as an international security force will have to be organised jointly by the blocs of European states that will reach agreement on the principles of European security.

These blocs will be composed approximately as follows :—

- (1) *Northern Bloc*
Norway, Sweden, Denmark and possibly Finland.
- (2) *Western Bloc*
France, Belgium, Holland, Luxemburg.
- (3) *Great Britain*
- (4) *Iberian Bloc*
Spain, Portugal.
- (5) *Switzerland*
- (6) *Central European Bloc*
Italy, Austria, Hungary.
- (7) *Balkan Bloc*
Yugoslavia, Bulgaria, Greece, Albania, Turkey-in-Europe.
- (8) *North-Eastern Bloc*
Poland, Rumania, Czechoslovakia (unless the latter should prefer to join the Central European bloc).
- (9) *Germany*

It is imperative that these blocs of neighbours linked by common interests establish preliminary agreement on the fundamental principles governing the establishment and co-operation of joint regional (bloc) police forces. A supra-national all-European executive will then constitute the second step.

It will be observed that in the above table of blocs a number of states have been exempted from these proposed groupings : Britain because of its peculiar geographical position ; Switzerland because of its delicate concept of neutrality ; and Germany with a view to the special treatment that country may expect under the terms of the peace treaty to come. But these countries can be fitted into the general framework without undue difficulty.

Principles Governing the Formation of the IP

(1) Each Member State must assume a definite legal obligation to make a proportional contribution towards the upkeep, training and equipment of the Force.

To distinguish between contributor states entitled to claim the benefit of "United Nations" protection, and non-paying states left outside (a suggestion made by Lord Davies) is hardly to be recommended. This procedure would split Europe in two camps and might lead to new conflicts. Only when *all* European states are united will Europe be pacified and sufficiently consolidated to proceed to further enlargement of the "Security Zone."

(2) The IP must be stronger and better equipped than any single army.

Unless the combined force is superior to those of any Member State it cannot possess the requisite authority; nor would it be able to guarantee adequate protection. Provision must also be made for the not impossible contingency that an outside Power joins forces with an aggressor State, (Member of the League against which execution is to be levelled) and forms an aggressive alliance.

(3) Quotas supplied by Member States must not detract from the efficiency of national police forces.

Apart from its contingent sent to the IP, each state must retain an adequate national police force to maintain order and security at home; thus support of the IP must not entail a weakening of existing police forces.

(4) The IP must have land, sea and air forces.

Member States must therefore as far as possible contribute contingents to all three branches. It is fairly obvious that an international fleet alone could not prevent land operations; nor could land forces alone repel naval attack. Similarly, the sole use of air forces, as advocated by Brig. Gen. P. R. C. Groves (*Times*, Sept. 18, 1922) and Allan A. Mitchie (see above) would soon prove insufficient.

(5) In order to be effective, the IP must have a centralised Command.

Prevention being one of its main aims, the IP must be both powerful and mobile. This requires complete centralisation of the High Command, and complete mutual co-operation based on experience between the officer corps and other ranks. In certain emergencies the full national quota may be required; but in normal times they will be kept

in reserve, and can thus stand a somewhat looser kind of organisation than the élite formations constituting the permanent "striking force."

In the present war the United Nations have recognised the need for a unified command, drawing their lessons from the first world war, when lack of centralisation brought the Allies to the brink of the abyss. It was only at the most critical point of the war that Marshal Foch assumed supreme command of the Allied forces, thus establishing the vital centralisation of command.

Tasks of the IP

(1) The IP is the investigating and executive organ of the International Court.

The IP undertakes investigation at the request of the Court. To take an instance: information is laid with the International Court to the effect that a Member State of the United States of Europe (USE) has introduced laws or decrees that conflict with established international principles and the rights of man, e.g., racial laws as established by the dictatorships. The Court thereupon orders the IP to commence an investigation, its results to be submitted to the Court without delay, where they will then form the basis for its verdict.

The IP can also start an investigation on its own initiative and on information received, provided there is an obvious emergency; but the International Court must be informed at once.

The IP will act as an executive organ when carrying out a decision or enforcing a verdict of the International Court. The IP has to be informed of all decisions of the International Court, and be instructed as to the requisite steps to be taken.

In this respect a distinction must be drawn between verdicts not requiring executive action, those needing IP supervision as to their observance and application by Member States, and those demanding immediate executive action by the IP.

Should a state fail to comply with a direction of the International Court, the Court decrees the levying of "League execution." The IP then acts.

(2) The IP is the defensive organ of the "United States of Europe."

The IP is charged with repelling all attacks directed against the USE or one or more of its incorporated states. The aggrieved party must lodge a complaint with the International Court forthwith. The Court has to arrive at its findings within twelve hours of receipt of such

information, and issue suitable instructions to the IP by way of " injunction." The IP is responsible to the USE for the correct execution of its orders.

Executive measures may be based on the provisions of Article XVI of the old League Covenant, and thus be in two stages: preparatory action, including such measures as economic boycott of the aggressor and blockade of his communications by land, sea and air; and direct military action.

One old maxim—supported also by Lord Davies—has now definitely outlived its usefulness: the belief that a supra-national authority is not entitled to interfere in the domestic concerns of a state, be it a member or not. Our experience since 1933 should have taught us by now that this is a fallacy, and that internal political developments may well lead to armed international conflict. In such cases, too, the IP must be empowered to take preventive measures—following, of course, proper authorisation by the International Court.

The competence of the IP should be laid down by separate statute, with detailed regulations as to procedure. In case of doubt the International Court gives an authoritative interpretation.

CHAPTER TEN

THE INTERNATIONAL POLICE

Organisation

THREE methods can form the possible basis of IP organisation.

1. The individual Member States of the USE supply "quotas" which together constitute the international police force. This combined force is under the command of a General Staff with its headquarters at the seat of the USE organisation.

In peace-time individual Member States retain command of these "national quotas," and have to undertake responsibility for the upkeep and equipment of their quota.

Only in the case of mobilisation at the request of the League Executive are these national quotas put under the command of the USE General Staff.

Strength and equipment of national quotas not to be left to national discretion, but to be regulated in accordance with the wishes of the USE General Staff.

2. An independent international land, sea and air force will be created.

All national armies will be disbanded except for such forces as may be necessary to maintain domestic security. Under this system the international force would be largely centralised in a unified IP, national armies being reduced to an absolute minimum.

3. Individual states hold in readiness national quotas which may be combined when the need for IP action arises. In addition, however, a permanent IP force will always be at the disposal of the General Staff at USE Headquarters, to be used as an immediate striking force.

This force will thus stand ready to intervene forthwith in case of conflict, while the national quotas form as it were the supplementary reserves of this "standing army."

Various possibilities arise from the choice of one of these three systems of IP organisation.

If, under the first scheme, national quotas are to remain under the authority of individual states, this would mean that they would be combined into one unit only when the need for executive action would be imminent. In this case individual contingents would never be able to develop that consciousness of their supra-national character which must

pervade the IP if it is to be adequate to its task. In addition, the striking power of such units combined *ad hoc* and without previous collaboration is considerably affected.

Furthermore, the USE General Staff would never have had previous contact with this force ; not having exerted direct influence on its training, equipment and methods, the General Staff would have to work with foreign elements not mutually "tuned in." Yet experience has proved beyond dispute that a High Command and its troops must be in complete harmony if the aim is to be attained.

Lord Davies, who proposes this scheme, thinks that it would induce the nations to recognise the police function as the only proper use of force in international relations—a view which, having regard to the above facts, is open to grave doubts. Equally doubtful is Lord Davies's further assertion that his system would cause Member States to renounce war except at the orders of a supra-national authority. Large national quotas strengthen individual states and not the international authority. There is, as experience has shown, a very real danger that strong states may evade their obligations when a crisis should lead to mobilisation of an IP composed on this basis. Lord Davies himself realises that "international morality has not yet reached a level which would guarantee that every state will always fulfil its obligations."

The international General Staff would also run the risk of colliding with national High Command, particularly at that most dangerous phase, the commencement of operations. This kind of IP would be heterogeneous as to equipment and tactics.

All these considerations tend to show that the first method entails grave dangers for the USE before it is fully consolidated. We need only visualise seizure of power in a strong Member State by some party hostile to international co-operation.

The second form of proposed organisation would mean overwhelming power for the supra-national body—a result not immediately desirable. Like everything new, the novel conception of international federation needs a period of incubation and development until an atmosphere of international confidence has had time to grow up. In this respect Lord Davies is right in saying that, though IP superiority over members and non-members is essential, a superlative superiority expressed in a monopoly of power might jeopardize the success of the entire plan. The organisation of so preponderant a force would undoubtedly lead to conflicts between the international authority and Member States.

In case of a domestic crisis the IP could only be called in if such crisis constituted an obvious danger to other members of the USE.

The third system, as proposed above, would appear to obviate the dangers inherent in the other two.

It would provide an element of permanence and stability. The question of sovereignty would find a satisfactory answer, for national quotas could remain under national command, yet could, in case of mobilisation, more easily be amalgamated with the valuable permanent nucleus, the standing striking force, of the IP.

This form of organisation would also facilitate collaboration and training for new tasks. Close collaboration can be established between the General Staff of the IP and Quota High Commands, preparing the ground for a permanent fusion of national units into one homogeneous force.

Furthermore, national quota forces would be in constant readiness to resist aggression until the international force can be rushed to their aid.

We shall therefore base our subsequent suggestions on the third method of organisation. The second scheme, that of complete national disarmament, remains of course the ultimate ideal, even if at the present juncture it is still, unfortunately, utopian. But we are convinced that the successful creation of the IP will help to bring humanity closer to this desirable consummation.

Striking Force

The IP Striking Force consists of contingents of officers and men supplied with the most up-to-date arms and equipment. This Force comprises four main branches—land, air, sea and chemical warfare.

1: Land Army

The Land Army will consist of infantry and tanks, artillery, and special categories such as engineers and supply.

The tank, an invention of the first world war, has been greatly improved. Anglo-American (Sherman) as well as German (Tiger) types have restored the possibility of a rapid war of movement, leading to complete destruction of enemy forces. Speed and armour make the tank an important weapon, and its further development is by no means at an end (refrigeration of tanks was used in desert warfare!). This weapon should be reserved for the exclusive use of the IP.

The infantry, too, has developed new potentialities owing to mechanisation, and still remains “the queen of battles.”

If artillery development is less impressive as compared with last-war achievements, it is still very adequate—witness the progress of long-range cross-Channel bombardment.

2. *Air Force*

The air arm has proved its supreme usefulness in the course of the second world war. Land-based aircraft and seaplanes will be equally useful to the IP. It would be the most rapid instrument of executive action at the instance of the international authority. The flying bomb would, of course, form part of the IP arsenal.

3. *Navy*

Seafaring states will be permitted to retain their own protective naval forces. Such squadrons will not constitute aggressive armament, but will correspond to the domestic police force which is also to be retained. Lord Davies advocates the use of obsolete units for such "policing" duties. We cannot, however, share this view. The new League will not be able from the outset to guarantee coastal defence or the security of sea-lanes everywhere. Only a lengthy period of development can lead to this. It is also almost universally recognised that naval power by itself cannot be decisive in warfare. And if a country like Great Britain were to hand over the whole of its navy to the new League whilst the IP is not yet established on a world-wide basis, colonial difficulties might arise.

The IP will require some naval force, however, and submarines appear most suitable for its purposes, judging from war experience.

4. *Chemical Warfare*

Chemical or bacteriological warfare is out of question for the IP. None of these weapons must be used for the purposes of League execution, for gas and bacteriological warfare cannot be restricted, like bombing, to certain limited areas or places, and would therefore endanger many innocent people. A store of such substances must, however, be kept in readiness, if counter-attack by such means should become indispensable.

Quotas

National quotas form a police force within the individual Member States of the USE. They must not be confused with the domestic police maintained in the country for the preservation of peace. Local and municipal constabularies, *gendarmerie*, etc., have no connection with the International Police, which is quite independent.

Only in certain cases, to be closely defined and authorised by the USE and its International Court, may a national IP contingent be called in to assist the local police. As a general rule the quota force will have to remain in its garrison.

Quota contingents and Striking Force together constitute the International Police, the quota contingents forming the link between national police systems and the IP. In case of aggression the "quota" police forms the first line of defence.

The quota contingent thus has the following tasks :—

1. In case of urgent need to support the national police in the maintenance of order at home.
2. To defend the population of protected areas such as border zones from public disturbance.
3. To form the first line of defence in case of aggression from outside.
4. To supplement the establishment of the International Police.

High Command

A Supreme Commander is at the head of the International Police. He should at first be a national of the state furnishing the smallest quota (which for this purpose should not be smaller than 10,000). Every two years the next larger quota contingent supplies the Supreme Commander.

The Supreme Commander of the IP is responsible to the International Court for the actions of the IP. Before the expiration of his term of office he can be removed from his post only by decree of the International Court.

Four Commanders-in-Chief are subordinated to the Supreme Commander. They are in charge of regional IP establishments. There are also the Commanders of the quota contingents, and the Commanders of four arms—air, sea, artillery, infantry and tanks. These commanders are appointed by the International Court, and the Court also selects suitable replacements.

All Commanders, Staff and Field Officers of the IP must have graduated after regular military training.

The appointment of Commanders-in-Chief is governed by the principle that no single state may supply more than three Members of the Supreme Staff.

Operational Staffs are appointed for each region in which they will direct operations.

The General Staff of the IP thus consists of the Supreme Commander,

the regional C.-in-C.'s, the Staffs and the air, sea, artillery and infantry (tank) Staffs.

Army and Divisional Staffs direct the larger units.

The Supreme Command of the IP has a Central Intelligence Department. It will be staffed by a number of experienced police officers of high rank whose qualifications for this service must correspond to those of IP officers. This CID has the task of observing all conditions and events that are contrary to the USE Covenant, and of conducting investigations for the International Court. The CID can conduct such investigations through its Headquarters Staff or through its subordinated CID branches located at each national Quota Headquarters. The CID will also submit semi-annual reports on developments within each Member State to the USE Assembly.

Location of Headquarters

The location of the Supreme Command is of vital importance to the conduct of operations and to the striking power of the IP. From this focal point all degrees of League execution, from blockade of communications to actual hostilities, will have to be directed. Headquarters must, therefore, have an eminently central location. From this point of view Lord Davies's suggestion to make Palestine the seat of the Supreme Command cannot be recommended. Palestine is a peripheral area, and it would be next to impossible quickly to transport troops to a given point of Europe: a new invasion of Europe from the sea would be required—a needless and dangerous complication.

In a previous chapter we have outlined some of the arguments which, once it has been agreed that IP Headquarters must have a Central European location, strongly point in the direction of Austria and Vienna. This territory fulfils all requirements, both as regards a sheltered position, and facilities for the quick transport of troops to all parts of Europe.

Bases

The Supreme Command and the detachments of the permanent force should be stationed in a territory that is completely independent, and not subject to any foreign influence or administration. The IP would take over the administration of this territory, and its neutrality would be guaranteed by the Member States of the USE. This territory would then have a judicature of its own.

The same principles must govern the selection of the several IP bases in various parts of Europe on territory under the direct authority of the USE.

Unless all states guarantee the neutrality and independence of IP Headquarters territory, and of the supplementary bases of the IP, the real independence of the new League and its Executive might be jeopardized. As we have seen, even the most neutral of states has the duty of supervising all activities carried on in its territory. It is obvious, on the other hand, that this state supervision will often conflict with IP activities. To take one instance, the IP will, of course, maintain a wireless transmitter, which presupposes a territory exempted from any particular sovereignty and administered by the IP itself.

IP bases will be linked by wireless and air communications. These bases will have to be selected with a view to their strategic position in regard to military operations, the possibility of constructing aerodromes, and accessibility of the sea. This would increase the mobility of the IP, enabling it to strike without delay in the remotest corners of Europe.

These bases would constitute neutral or internationalized zones. Larger areas or cities could be declared Mandated Territories under USE mandate; smaller areas could be converted into neutral zones. Many small states and cities would welcome this status because it would provide "open markets" to the great economic advantage of such areas.

Distribution

1. The IP should be spread out as widely as possible, in order to enable it to take immediate action on the spot, and also in order to give all member States a feeling of security.
2. IP distribution on a widespread basis would underline the comprehensive nature of this new organisation, and pave the way for a new approach to problems of nationalism and internationalism.
3. IP distribution must enable each garrison to bring rapid and effective succour to other IP contingents.

Establishment

Financial contributions by all members of the USE provide for the upkeep of the IP.

The old League of Nations had already calculated a pro-rata contribution for each of its 54 members in respect of their share in financing the institutions of the League. This table of dues was approved by all of them without reservation, and payments were based on it.

It should not be too difficult, therefore, to establish similar pro-rata contributions towards the upkeep of the IP. In assessing each member the fact will no doubt be taken into consideration that national defence

budgets will be greatly relieved when protection is guaranteed by the IP. Since national wealth is liable to fluctuations, contributions should be subject to revision every five years. Members' payments for IP purposes would be separate from their general USE contribution and assume the form of a "Security Contribution." This security "premium" will be approved in accordance with an IP budget sanctioned within the general USE budget by the Plenary Assembly of that body, and collected and administered by the USE Treasury.

The IP budget will cover three kinds of expenditure: personnel, maintenance, and armament.

Non-payment of dues should entail executive action. Lord Davies suggests that a Member State being remiss should not be entitled to demand the services of the IP; but this is impracticable. Such procedure would compromise and discredit from the outset a new institution whose chief characteristic must be its universality.

Armaments Manufacture and Replacement

In future only the USE will have the right of making arms and munitions. Armaments factories will be established exclusively in the territory in which the IP High Command and its permanent force are located. No other States may carry out production, manufacture or replacement of armaments, apart from minor repairs.

National police forces and quota contingents receive an allocation of arms, munitions and other equipment from the USE authorities. This allocation must specify in the minutest detail the kind and quantity of arms and equipment so issued.

Naval vessels may be built by Member States, but their armament will be installed in USE dockyards only. In exchange for their renunciation of armaments production the new League assumes the obligation of providing the national police and "quota" forces of Member States with adequate supplies of arms and ammunition. Member States will close down all state-owned arms and munition works, with the exception of aircraft factories.

The Supreme Command must ensure full and sufficient equipment of the striking force and all quota contingents with arms and munitions.

This League monopoly of arms production will play an important part in preventing future warlike conflicts, especially as the CID will exercise strict and vigilant supervision of all arms issued to Member States.

The proposed monopoly will no doubt constitute a serious blow to the armaments industry ; but peace is more important than the profits of an industry whose methods were often directly conducive to war, to put it mildly. Yet national economies will not be affected by this monopoly. Experience has shown that governments simply dropped these artificially stimulated industries when the war was over, with the result that the change-over to peace-time production and consumers' goods produced complications and economic crises in many countries. The present plan provides planned League assistance for industrial reconversion, thus eliminating the danger of economic depression.

This reconversion must, however, be effected immediately following the conclusion of hostilities, since every delay increases the difficulties of reversion to peace-time production and might induce some States to indulge anew in an armaments race with all its consequences.

Some opponents of disarmament use an economic argument : rapid disarmament would increase unemployment. This is a specious argument which might with equal force be used against any attempt to bring the war to an early conclusion, since total war means total employment. A fresh piling-up of armaments would be too high a price to pay even for full employment. Let us not forget that not "jobs" but production is the aim of a sane economy. The late Lord Stamp stressed the particular insanity of armaments "production" from an economic point of view when he said* :

"Expenditure on armaments is wasteful in a peculiar way. . . . The irreplaceable products of nature are put to the least advantageous use for the human race in armaments. . . . The amount of coal, iron and oil used for naval and military purposes might as well never have existed, so far as its influence on the economic future is concerned—it is a clean deduction from Nature's provision for the human race. Disarmament would help to arrest this waste of the irreplaceable fundamental factors of modern economic life—the rake's progress to physical bankruptcy."

And finally, the physical destruction wrought in the Second German War was so widespread, the needs of rebuilding and reconstruction are so vast, that there need be no fear of unemployment, provided economic life abstains from the wasteful building of armaments and concentrates on its proper function—the production of goods and services to meet the needs of the consumer.

* *Current Problems in Finance and Government*, p. 83

Recruitment

Officers and men of the Permanent or Striking Force are under the command of the Supreme Staff appointed by the League of Nations united in the USE. All members of the force therefore owe allegiance to the United Nations of Europe.

Each member of the force on joining the Striking Force loses his previous citizenship, and acquires USE nationality. He regains his former nationality on leaving the IP. Acceptable for enlistment are men over 21 of good character, who are physically sound, and have successfully completed their elementary schooling in their countries of origin.

Recruiting is conducted directly by the Supreme Command of the IP by means of agents sent annually to all member countries. The local police authorities will supply the recruiting agents with all requisite information in connection with intending volunteers. This system would leave the Supreme Command with the largest possible measure of independence in selecting recruits.

It would not be opportune to leave annual recruitment to Member States themselves. This would vitiate the principle of the IP's absolute independence from all Member States, an axiom which must not even appear to be infringed.

As soon as a recruit has passed his medical examination and other tests he is enrolled and sworn and from that moment is considered a member of the IP. He should be called up within a month of enlistment. From the moment of enrolment to his actual call-up the recruit, if without regular occupation or employment, receives the pay of a private in the IP. Meanwhile he continues to benefit by the social services of his country such as panel services etc.

Should the recruit during this time commit a serious punishable offence he will be discharged from the IP at once and not be called up for service.

In selecting volunteers care should be taken to draw them from among the best in all social strata. Minimum physical and intellectual requirements should be established and applicants submitted to a suitable test. The entrance examinations for the police service, as in force in many countries, might furnish guidance. Stringent tests will assure a high level, while service conditions will be made highly attractive. Preference will be given to specialists, technicians, airmen, etc.

A sound and at the same time imaginative policy will enable the IP to exert special attraction on youth. The young men of to-morrow, unburdened by sad experience, idealistic, keen for adventure and action on

the battlefields of peaceful endeavour, must inspire and animate the International Police.

Enlistment would be for a period of five years, to be extended for additional periods of five years at the IP-man's request. On leaving the service with an honourable discharge the IP-man is entitled to be found a civilian job through the intermediary of the IP Labour Office. Fifteen years' service and attainment of non-commissioned rank secure a pension.

On termination of the first five years' service the IP-man can apply either for re-enlistment for a further term of five years, or for his discharge and allocation of civilian employment through the IP Labour Office.

The service must offer adequate pay and also chances of promotion so as to interest men of the right type. Similarly, the pension given after fifteen years' continuous service must be adequate, so that a man who has given the best years of his life to the cause of international peace is assured of the same security for himself.

Being a volunteer force, the IP will be an international élite, provided that recruits are selected on the right lines—to form an army, not of adventurers or mercenaries, but of "special constables" who will truly be *Guardians of the Peace*.

Training

Training from the outset must be based on the international character of the force.

The first year of training takes place in national contingents, and in the mother tongue of the recruit; but at the same time he will be taught the official language of the IP, which is English.

All national training units follow the same curriculum and the same form of drill. A recruit will be trained in that branch of the service for which he has volunteered or to which he has been posted. A large part of the curriculum will consist of theoretical police schooling: Geography, History, Sociology, Penal Law and Procedure, etc. An examination will conclude the first year of training.

With the second year, national contingents will be combined to form one force. English is now the official language. Instruction continues as before (with the addition of International Law) and will be intensified.

In the third year of service posting for "foreign service" with some IP garrison begins; also promotion to non-commissioned rank.

Officer-cadets are selected at the end of the second year and sent to a special Officers Training Unit, where they will receive similar training as

in the ranks, but on a higher level. A Commission holds final examinations after two years of this specialised training (thus after completion of four years' service), when successful candidates are commissioned. Officers must accept a twenty years' engagement. Officers aspiring to Staff service have to pass a second examination, following five years' active service in the field.

Training and instruction for officers and men must be on a completely international basis, aiming at fusing all different elements into one united whole with its own *esprit de corps*.

Administration

In addition to the Military Sector, charged with training and operations, the IP has an Administrative Sector, comprising Finance, Recruitment, Discipline, the CID, and other administrative functions. Both must be strictly separate from each other ; the Supreme Command stating its requirements, the Administration supplying them.

Corresponding to the four arms composing the Striking Force—land, air, sea and chemical—four administrative offices will be formed in addition to the CID administration. These offices will draw up half-yearly budgets for their respective arms, and will regulate internal administration. These offices are staffed by former officers of the IP who by field service and officers training have qualified for service in the higher ranks. But they as well as the heads of these offices will have civilian status. All these officials will be appointed by the USE at the instance of a Senate of the International Court.

The Chemical Warfare Office will be staffed by chemists and technicians. The offices should co-ordinate their activities with a view to the kind of action that might be taken by the Striking Force. To this effect the various offices might be given one Administrative Director ; the Director of the CID, however, must always remain directly subordinated to the Supreme Command.

Strength of Permanent Force and National Contingents

The strength of the International Police—Permanent (Striking) Force and national contingents together—will be on the basis of participation to the extent of one-third of 1 per cent. of its population by every European state. As shewn in the following table, we would thus arrive at a total of approximately 1,250,000 men.

One-third of this total, 416,000 men, will form the Permanent Force, while the remaining 832,000 will be the quota contingents. We would thus arrive at an average quota for each member of some 29,000 men—a figure to be increased or reduced in proportion to the size of a given state.

Allocation to the various branches such as tanks, air, etc., is effected on the basis of plans formulated by the Supreme Command in accordance with its requirements.

COMPOSITION OF THE INTERNATIONAL POLICE

Country	Population/1,000	IP Contingent/1,000
Albania	1,000	3.3
Austria	6,760	22.5
Belgium	8,250	27.5
Bulgaria	7,000	23.3
Denmark	3,700	12.3
Finland	3,810	12.7
France	42,000	140.0
Germany	(65,000)	(217.0)
Great Britain	41,031	136.7
Greece	7,000	23.3
Hungary	13,500	45.0
Italy	45,000	150.0
Netherlands	8,640	28.8
Norway	3,000	10.0
Poland	35,000	117.0
Portugal	7,166	23.8
Rumania	12,000	40.0
Spain	25,000	83.3
Sweden	6,500	21.6
Switzerland	4,250	14.1
Turkey-in-Europe	2,000	6.6
Yugoslavia	15,700	52.3
Czechoslovakia	13,800	46.0
All others	346	0.1
Total	337,453	1,257.2

PERMANENT IP GARRISONS

<i>Countries</i>		<i>Base</i>		<i>Strength</i>
NORTHERN BLOC.				
Norway	..	Oslo	..	15,000
Sweden	..	Stockholm	..	15,000
Denmark	..	Copenhagen	..	8,000
(Finland	..	Helsinki	..	8,000)
WESTERN BLOC.				
France	..	Paris	..	84,000
Netherlands	..	Rotterdam	..	35,000
Belgium and Luxemburg		Brussels	..	38,000
GREAT BRITAIN	..	London	..	65,000
IBERIAN BLOC.				
Spain	..	Madrid	..	20,000
Portugal	..	Lisbon	..	15,000
SWITZERLAND	..	Zurich	..	15,000
CENTRAL EUROPEAN BLOC.				
Italy	..	Milan	..	84,000
Austria	..	Vienna	..	Seat of Striking Force; no quota garrison.
Hungary	..	Budapest	..	25,000
BALKAN BLOC.				
Yugoslavia	..	Belgrade	..	30,000
Bulgaria	..	Sofia	..	25,000
Albania	..	Durazzo	..	15,000
Turkey-in-Europe	..	Adrianople	..	15,000
Greece	..	Athens	..	30,000
NORTH-EASTERN BLOC.				
Poland	..	Warsaw	..	75,000
Rumania	..	Bucarest	..	50,000
Czechoslovakia	..	Prague	..	30,000
GERMANY	..	Berlin	..	150,000

CHAPTER ELEVEN

INTERNATIONAL CRIMINAL INVESTIGATION

In Retrospect

SHORTLY after the first world war the Police President of Vienna, Johann Schober, published proposals for a system of world-wide criminal investigation.

Amid the political conflicts sometimes verging on anarchy that were raging in Central Europe after the war, Schober had built up a police organisation which secured the preservation of law and order in Vienna and Austria. This was of great help in isolating and extinguishing pockets of unrest in Central Europe, and Schober and the Vienna police quickly gained international recognition, their system being considered exemplary in many countries.

The idea of international co-operation, so popular everywhere in those years, had also made progress in the sphere of police work. Crime was spreading everywhere without regard to national frontiers, and Schober wished to combat it rapidly and efficiently. His aim was to free criminal investigation of the shackles imposed on it by the growing nationalism of many new administrations, so that the tracing and the prosecution of criminals should not be impeded by a tangle of frontiers and formalities.

His suggestions received universal assent, and after a period of preparation, Schober, in 1923, convened an international police conference in Vienna to which nearly all countries of the world sent delegates. Among them was also the Chief of the New York Police. Schober submitted his proposals to the conference, and the result was the formation of the International Crime Investigation Committee (ICIC).

International esteem for Schober and for the work of the police he directed found its expression in a resolution which made Vienna the seat of the ICIC and the Police President of Vienna the chairman of this Committee.

It was further decided at this conference to establish close co-operation among all police organisations of the world, and to found a number of central evidence departments with their seat in Vienna. The police organisations represented at the conference were to supply these departments with the requisite material. It was resolved to have periodical

meetings and to develop the idea of police co-operation. Close contact was henceforth to be maintained among the police authorities represented at the conference.

The following central evidence departments were established under the direction of the Vienna Police : Coining and Forgery ; White Slave Traffic ; Narcotics.

These departments were supplied with full descriptions of actual crimes, with the *corpora delicti* such as forged notes or bonds, and the photograph, finger-prints and other particulars of the criminal. Thus, if a forger was arrested in Caracas, Venezuela, the local police would apply to the Central Evidence Department in Vienna and would in most cases obtain all requisite particulars, as most international criminals were well-known. This represented an immense progress in fighting crime, as the great number of individual police authorities had made it an almost impossible task to circularize them all with a view to identifying a criminal working on an international scale.

This institution gave in fact such excellent results that it was decided to establish similar evidence departments for other branches of crime. But the occupation of Austria in 1938 put an end to these endeavours. The new German régime wanted to reduce the ICIC to a Nazi tool and thus destroyed this promising enterprise, since other States declined to co-operate with the Nazi régime. Until 1938 the international Committee had had annual conferences at which reports were given, experiences compared and important suggestions exchanged, so that each year witnessed further progress in international police work.

The Committee also possessed a police wireless station operated in the Berlin Police Presidency. This activity, too, ended soon after the establishment of the Nazi régime in 1933.

The ICIC had an official organ, entitled *Internationale Oeffentliche Sicherheit* (International Public Security)—*Sûreté Publique Internationale, Journal Officiel de la Commission Internationale de Police Criminelle*, published in Vienna. Its editorial board was elected from among representatives of the various police authorities represented at the conference. This periodical discussed various police problems, new methods of combating crime, topical cases, the tracing of wanted persons etc. It had a supplement, entitled " International Organ for the Recognition of Genuine and Counterfeit Banknotes " (*Contrefaçons et Falsifications, Revue internationale des Marques caractéristiques de Billets de Banque et autres valeurs authentiques et de leurs falsifications*). Here were published whatever

forgeries were known to be in circulation so that it was easy to take the necessary precautions. The Committee also published an approved "Handbook of European Banknotes and Coins," containing descriptions and reproductions of all notes and coins current in Europe as well as a list of the currencies and banks of emission of all European countries. A special chapter dealt with obsolete coins, notes and bonds.

But the ICIC was still hampered in its activities by the multiplicity of penal legislation and procedure, each in a watertight national compartment. True co-operation in the sense of real unity among the various national police authorities was not achieved, though some progress was made.

In this connection mention should be made of a plan proposed at the tenth session of the Committee in 1934 by M. Vladetta Milicevic, Yugoslav Delegate to the Vienna Conference and later Yugoslav Minister of the Interior. Milicevic wanted to extend the ICIC with a view to establishing an International Criminal Investigation Bureau in Geneva. This Bureau was to be sub-divided on a national basis and to be operated by "police delegates" sent by the various States. This Bureau, affiliated to the League of Nations, was to house the Central Evidence Departments with their finger-prints, photographs and other records. A national police authority engaged on a case of international scope was to contact its delegate in Geneva who in turn was to establish contact with the Bureau.

There is no doubt that Milicevic's plan would have meant a great step forward towards the creation of a real International Police. Unfortunately, the sombre shadow cast by the coming war prevented the realisation of this plan.

The Federal Bureau of Investigation (United States Department of Justice.)

Valuable guidance for the criminological aspect of the IP is given by an existing organisation which already represents an inter-state police. This is the Federal Bureau of Investigation in Washington—the famous "G-men" of fact and fiction.

The Bureau was founded in 1908 by the then Attorney-General, Bonaparte, in order to provide the U.S. Department of Justice with a permanent investigating body. Gradually an increasing number of "federal" offences was brought under FBI jurisdiction.

The Bureau was re-organised in 1924 on the basis of fixed rules and regulations, all political influence being eliminated. The FBI now has investigative jurisdiction over all violations of federal laws and matters in which the USA is or may be a party in interest.

Among the matters under the primary jurisdiction of the FBI are:

administrative investigations ; admiralty law violations ; anti-trust laws ; bank embezzlements in the District of Columbia ; bankruptcy frauds ; bribery ; claims by and against the USA ; conspiracy ; copyright violations ; crimes on the high sea, in Alaska, Indian reservations, national parks ; offences connected with federal penal and correctional institutions ; extortion (kidnapping) ; espionage, counter-espionage, sabotage and other defence matters ; racketeering ; white slave traffic (Mann act) ; killing, injuring or impersonating federal officers ; etc., etc.

During the war the FBI also guards defence plants. Prosecutions are instituted by US attorneys in the various Federal judicial districts.

Organisation

FBI Headquarters is in Washington, headed by the Director of the FBI. The Central Bureau comprises :

Identification Division ;

Technical Laboratory ;

Collection of Crime Statistics ; and

Training Academy for Special Agents and Police Officers.

The *Identification Division* serves as a central clearing house of records pertaining to criminals. There is a central register of finger-prints, which on November 1, 1941, comprised 24,274.338 dactyloscopic records and 20,500.000 index cards. About 25.000 finger-prints a day pass through this department. International exchange of dactyloscopic information has been established since 1932.

In addition, all citizens are invited to register their finger-prints, as an invaluable aid to identification in case of sudden disasters such as fires, earthquakes or shipwrecks, or in amnesia and aphasia cases. This Civil Identification is kept strictly apart from Criminal Identification. Here are also stored the duplicate prints on Civil Service, Army, Navy, Coast Guard, Marine Corps and other public service passes and identification documents, as well as finger-prints taken on Aliens' registration.

Criminal identification records contain various details of the crime and its perpetrator. A highly ingenious machine known as " International Business Machine " (IBM) is able to combine a number of indications and automatically to sort out a number of corresponding records. This enables the FBI to trace and identify " wanted " criminals with a minimum of delay.

The *Technical Laboratory* was founded in 1932 in furtherance of scientific detection. Here, the necessary scientific analyses are conducted, among them

examining the authenticity of documents by means of microscopic, infra-red and ultra-violet ray methods ; "moulage," *i.e.*, the making of casts of animate and inanimate objects ; analysis of hairs, textile shreds and all kinds of organic and inorganic matter ; blood tests ; spectro-graphic and spectrometric tests ; X-ray examination ; classifying automobile tyres ; ballistics ; a collection of the handwriting of known criminals and suspects, etc.

The department of *Crime Statistics* of the FBI receives monthly and yearly reports from over 2,870 police authorities in the U.S.A. on known crimes, arrests and unsolved cases. In addition, over 1,800 Sheriff's Offices, State Police Offices and branches in overseas territories send in similar reports. This has facilitated a collection of crime statistics on an extraordinary scale. These data are published in tri-mensual "Uniform Crime Reports."

The *National Police Academy* commenced its activities in July, 1935. Its training is open to Special Agents, City, Rural and State Police. A course lasts three months : it comprises police organisation and administration, the discussion of everyday police problems, and practical training.

The Academy is in Quantico, Virginia, and possesses a modern shooting range where students are instructed in the use of fire-arms.

Well-known criminologists and detectives are the instructors. Even trained FBI agents have to come here for periodical refresher courses.

Local FBI Organisation

Under the FBI in Washington, 55 "Field Divisions" operate in 55 American cities. Each Field Office is directed by a Special Agent, responsible to the Washington Head Office. Each Field Office covers a certain area, and while their work is co-ordinated by the Central Bureau in Washington, inter-communication among them is permitted.

Agents

Persons between the ages of 23 and 35 form the corps of "Special Agents." They must have graduated from a recognised Law School or Accounting School. Three years' experience as attorney or accountant is required, or else perfect mastery of a foreign language.

Procedure

The FBI is the highest police authority in the U S A. There is close co-operation between the FBI and local police authorities, and the latter must obey FBI directions.

The monthly "FBI Law Enforcement Bulletin" is the official FBI organ.* This periodical contains the names, aliases, crimes, finger-print classifications, etc., of wanted criminals. The Bulletin is issued to all police authorities in the United States.

CHAPTER TWELVE

CONCRETE PROPOSALS

THE founders and partners of the ICIC undoubtedly envisaged for Europe similar conditions of police work as established in the United States in the Federal Bureau of Investigation. This was the solution aimed at during all those years of European police co-operation ; but thealous preservation of absolute national sovereignty and the splitting-up of Europe into two opposing camps, dictatorships and democracies, made possible that wholesale fusion of sovereign rights which would have facilitated international collaboration in political as well as police matters.

The end of a war that has reduced everything to a state of the utmost uidity offers a last opportunity to solve this question from the point of view of international solidarity in the sphere of European civilization.

The countries of Europe could proceed to the joint establishment of a Crime Investigation Bureau on the lines of the American FBI which would be charged with certain definite tasks in the sphere of police work proper. If all states together were to entrust these tasks to the new organ—which would be established at the seat of the United States of Europe—a measure of reduced sovereignty by way of fusion of a number of sovereign rights would hardly be felt. The giving up of these absolute rights on an all-round basis would be more than compensated by the establishment of a joint and universal mandate for a purpose that represents morality, progress and security for all. If such diminution of traditional sovereignty were accepted by all states, individual governments would not find it difficult to defend this measure before public opinion at home.

The scope of this Crime Investigation Bureau would extend to—

all unlawful acts against human life and health (homicide) ;

counterfeiting of coins and notes ;

all crimes extending to the territory of more than one State ;

illicit traffic in narcotics ;

White Slave traffic ;

crimes committed on the high seas ;

acts of terrorism ;

attacks on officials and officers of the USE.

The Central Bureau of European Investigation (CBI) acts under the authority of the USE and has its Headquarters in Vienna. The Director of the CBI is appointed for a term of five years by the Plenary Assembly of the USE.

CBI Organisation

The CBI comprises :

Bureau of Identifications ;

Bureau of Crime Statistics ;

Chemical and Technical Laboratory, covering—

Chemical Branch ;

Technical Branch ;

Photographic Branch,

Archive of Criminals' Handwriting,

Moulage Branch,

Medical Branch (blood tests),

Ballistics Branch.

Training Academy for CBI Agents.

The *Identification Bureau*, corresponding to the Identification Division of the American FBI, will be the central depository of all European finger-prints, to be collected with the help of all national police authorities. The collection would comprise the finger-prints of all individuals who have ever been the object of police investigation. Contact with the FBI should be established when required.

In the same way and with the same motivation as in America nationals of all countries should be invited to register their finger-prints. The same technical apparatus as used by the FBI should be employed.

The *Bureau of Crime Statistics* will receive regular periodical reports from all national police authorities in Europe on punishable offences committed in their countries.

The *Chemical and Technical Laboratory* will examine *corpora delicti* and all relevant exhibits such as letters, documents etc., using the most modern methods such as infra-red and ultra-violet rays, polaroscope, etc. The Laboratory will also conduct microscopic and blood tests, photography, graphological analyses, moulage, i.e., the preparing of casts of objects of evidence ; and, in brief, examination of all relevant exhibits.

The *Training Academy*, covering a two-year course of studies, will admit graduates of the Faculty of Law of any European University, or

men with a minimum of three years' practical legal experience who are proficient in languages.

Instruction will deal with European penal law and procedure, with thorough athletic training including skiing and mountaineering, and the handling of fire-arms.

Local CBI Organisation

22 Sub-Divisions in 22 European cities are subordinated to CBI Headquarters. Each Sub-Division is directed by a CBI Commissioner responsible to CBI Headquarters. Each Sub-Division covers a definite territory; their work, as in the case of the FBI, is co-ordinated by the Head Office.

CBI Agents

Persons between the ages of 24 and 35 can become CBI agents on fulfilling the above-mentioned requirements. With their appointment CBI Agents acquire USE citizenship. While the official language of the CBI is English, the language spoken in its territory is employed by each Sub-Division.

Procedure

The CBI constitutes the highest European police authority. Close collaboration must be established between the CBI and national police forces. When acting in matters pertaining to CBI competence national police forces are subject to CBI directions. The CBI, on the other hand, is bound to conform with national penal legislation and procedure.

Publication

The CBI publishes a fortnightly periodical containing descriptions of offences, wanted persons etc., and will be sent to all European and American police forces.

Special Regulations

In conformity with the multiplicity of European sovereignties that will continue to exist for some time, CBI activities will require clarification of various formalities.

Extradition and transit of accused persons, for instance, has hitherto presented great difficulties. An arrested person whose extradition was required had to be brought before the local Courts, which entered into

lengthy deliberations as to whether extradition was justified. Their findings enabled the Minister of Justice to decide whether the accused was to be extradited. This frequently required many months, thus jeopardizing a satisfactory solution of the case. New international agreements—based, of course, on the principle of non-extradition of own nationals—would bring considerable improvement.

Another question to be solved is that of an international police wireless transmitter (including television), using one police wavelength and an agreed police code. It would also be necessary to bring national broadcasting systems into line by granting facilities for international police messages.

Simple and convenient ways should also be established for forwarding to the investigating authorities the *corpora delicti* and impounded objects and exhibits.

CHAPTER THIRTEEN

EFFECTS OF AN INTERNATIONAL POLICE

THE establishment of an International Police would have salutary psychological and economic effects.

In the first place it will help to bring about a fundamental change in human thought. War has hitherto been regarded as something inevitable—the *ultima ratio*, the final method of settling serious disputes between nations. It was the ultimate test of strength, the one and only method of national defence.

But if disputes are henceforth to be settled on the basis of international arbitration backed by force—by a force superior to any national army or alliance—then this traditional belief in war will be cast into the limbo of outmoded superstitions and primitive urges checked and outgrown by civilised humanity. Clausewitz's cynical thesis that “war is the continuation of politics by different means,” will be cast aside for good.

War has been the manifestation of super-heated patriotic or religious passions. Mankind will smile at this form of sensationalism as it has learned to smile at the horrific war-dances of primitive savages.

History, literature, music have extolled war, inspiring eager youth to deeds of valour and self-sacrifice. This false aura, too, will disappear; a new generation will test its enthusiasm on other scales of value—the noble tasks of peace.

Man is pugnacious by nature. This instinct influences the individual as well as the community—so much so that we speak of war-like nations. Outlaw war effectively, and this bellicose instinct will atrophy. We observe already that a military career is less admired in some civilised states than it is among more backward races. The ancient Chinese, and Plato in his vision of the ideal state, placed the warrior at the lowest rung of public esteem, since his function, though perhaps necessary, represented a primitive stage of humanity.

The nations will renounce power politics. The government of a state and its international relations will be based on law, and on law only. Rulers will realise that agreements, pacts, treaties must be kept. No longer will they be violated at will: the old maxim *pacta sunt servanda* will come into its own in the international sphere as much as it is in force for private

contracts. No longer will deceptive treaties be tolerated ; they will have to be expressive of the will of the peoples, and not diplomatic manœuvres serving to camouflage the real aims. A supra-national authority will watch over strict observance of treaties and enforce them in case of violation. International morality will be strengthened, and pacts will be honoured, not in the breach, but in the observance.

No nations will dream of wars of conquest : there will be no profit in imperialistic policies. The risk of serious sanctions will deter the aggressor.

International arbitration will become an established custom. The verdicts of the supra-national authority will be respected, since none dare disobey them. In this manner will International Law become part of man's consciousness ; it will be codified and established as the universally accepted code of international behaviour.

But this dream—dreamed so often by war-torn mankind—can become a reality only when law is backed by force—by force in its only proper role : the police function.

The economic benefits of an International Police are manifest. It would create international security. This means that the nations could effect a very large retrenchment of their defence budgets. Armaments expenditure was the chief cause of the rise in the cost of living, imposing on all nations a terrible burden of taxation.

Men were wont to think in millions when they thought of armaments. And these tremendous sums were swallowed up by war after war, producing—nothing. They were thrown away.

It is sad to think of the undreamt-of progress in the social, humanitarian, medical fields that could have been achieved with these sums—and of the generations of youth that were wasted.

But if the new path is chosen, all this energy will be freed for peaceful pursuits. This will be felt immediately after the war. The nations are going to resume intimate relations ; attempts will be made to reconstruct and rehabilitate world economy. Mutual influence and interdependence will have beneficial results : each state will profit by a neighbour's prosperity. And this prosperity is assured if the tremendous sums now wasted on armaments and war will be devoted to economic progress and development.

Another aspect has already been mentioned. It concerns the mineral wealth of the world, now being wasted on destruction, instead of being utilised for constructive purposes. This precious store would be available

for the cause of economic progress. Our resources of coal, oil, iron, are not inexhaustible. They will henceforth be used in the service of a sound world economy.

Economic life everywhere will be freed from the incubus of war and the fear of war. This very fear often led to war, since sources of raw materials needed for defence had to be secured at all costs.

We witness a great deal of planning, aiming at the economic reconstruction of Europe. Europe cannot be rebuilt without international security. The nations must be secure and must feel secure. Only the International Police can create this atmosphere of security. It will establish and maintain law and order based on justice, and thus produce the indispensable condition governing the free and unhampered development of individuals and nations : freedom from fear.

CHAPTER FOURTEEN

CHART OF "IP" ORGANISATION

(A.) IP.—SECURITY OF STATE AND PUBLIC LIFE.

1. *Striking Force.*

Infantry.

Tanks.

Artillery.

Engineers and Supply.

2. *Quota Force.*

Within the individual member State of USE.

3. *Supreme Command of IP.*

Responsible to the International Court : Supreme Commander.
Subordinated are :

(a) Four Commanders-in-Chief in charge of Regional IP establishments.

(b) Commanders of Quota Contingents.

(c) Commanders of the arms : Infantry (Tank).

Artillery.

Engineers and Supply.

(d) General Staff.

(e) Central Intelligence Department (CID).

4. *Regions of the IP.*

Region I. Northern Bloc, North-Eastern Bloc.

Region II. Western Bloc, Great Britain, Iberian Bloc.

Region III. Switzerland, Central European Bloc, Balkan Bloc.

Region IV. Germany.

5. *Organisation.*

Region.

Bloc.

Territory.

National Quota.

CID.

(B.) IP.—PROTECTING THE PERSON AND PROPERTY.

Central Bureau of European Investigation (CBI).

(a) *Headquarters in Vienna.*

CBI comprise :

Bureau of Identification.

Bureau of Crime Statistics.

Chemical and Technical Laboratory, covering :

Chemical Branch,

Technical Branch,

Archive of Criminals Handwriting,

Moulage Branch,

Medical Branch,

Ballistics Branch.

Training Academy.

(b) *Local CBI Organisation.*

22 Sub-divisions in 22 European cities, subordinated to CBI headquarters.

Each Sub-division is directed by a CBI Commissioner.

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